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## Legislative Assembly of Ontario

First Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 13 December 1999

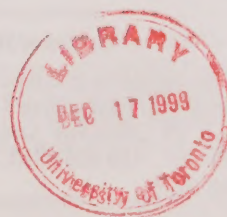
Lundi 13 décembre 1999

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers





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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 December 1999

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 13 décembre 1999

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### MINISTRY OF CITIZENSHIP, CULTURE AND RECREATION PUBLICATION

**Ms Caroline Di Cocco (Sarnia-Lambton):** Today I rise in this House to show how this government provides unreliable information to the people of Ontario.

I have a cover letter with a booklet from Minister Johns stating how the effective use of information technology would have a strong, positive impact on voluntary organizations. She has sent me this booklet that in turn I am to send to organizations in my constituency. The book is called *Moving Your Group On Line*, published and printed by the Ministry of Citizenship, Culture and Recreation. According to Minister Johns's letter, this guide will be a valuable tool in helping volunteer groups to work more effectively.

I will not be promoting or handing out this ministry's publication because of a disclaimer on the back of the book. This disclaimer states that the Ministry of Citizenship, Culture and Recreation and the government of Ontario are not responsible for what is in the book. The ministry says it's providing this information for the people of Ontario, and this guide is touted as the government of Ontario's commitment to helping the volunteer sector and its organizations. Yet they have misled volunteer organizations by providing information that the ministry says is unreliable. I believe that volunteer groups should be provided reliable information that they can depend on and trust.

If the ministry publishes and writes a book but is not responsible for the currency or accuracy of it, then why did they publish it in the first place?

#### SCHOOL PRAYER

**Mr R. Gary Stewart (Peterborough):** In the spring of 1996 I put forward a private member's resolution in this House, a resolution that emphasized the importance of being able to express one's spiritual expression in our public schools. Regardless of what religion, time should be set aside each day for prayer and reflection.

You can imagine my concern when I learned that three judges of the Ontario Court of Appeal recently overturned a lower-court ruling and barred the reciting of Christian prayers at council sessions in Penetanguishene. Whether at town councils or in our schools, I strongly believe in the necessity to have some defined time set aside for daily spiritual expression.

We have in Ontario different religions, and the children in our schools deserve the right to worship in whatever way they choose. I believe the banning of Christian prayers, or spiritual expressions of any kind, in schools or in council meetings is a loss to our wellbeing. After all, this has been a part of our heritage since the beginning of time.

The importance and need of spirituality is increasing. Just take a look at the society in which we live. People don't feel safe to walk on our streets alone at night; some kids bring weapons to school just to protect themselves; rapists terrorize entire neighborhoods.

As we approach a new millennium, let us take a moment to reflect on the moral standards that we've witnessed from the beginning of this century and compare them to 1999. Let's stand up to this trend of moral and ethical decay, and reverse its growth. Let's stand up for the traditions and the values that have determined who we are today, so that we can rest assured with whom we'll become tomorrow.

#### MUNICIPAL TAXATION

**Mr George Smitherman (Toronto Centre-Rosedale):** Today I rise today to defend the rights of Ontario municipalities, rights that are being severely compromised by the Mike Harris government.

The Harris government likes to portray itself as a tax-fighting government, but the real story is that its political agenda simply downloads the responsibility for tax increases to local governments. It's not that they don't raise taxes, it's just that they never have to bear the bad news themselves.

A few years ago, this government amended the Planning Act, allowing developers to go over the heads of municipal governments directly to the OMB. As a result, municipalities across the greater Toronto area are now forced to spend millions of tax dollars on lawyers to defend their legitimate claims before the board—not services, but lawyers.

Now, we all know that there is only one source of funding at the municipalities' disposal—that's property



taxes. The municipalities are forced to raise these taxes to defend themselves against the government's good friends in the development industry.

Indeed, the township of Uxbridge will be forced into double-digit tax increases to pay for their lawyers. The Harris government is responsible for this tax increase. But the saddest part of the story is that the government is forcing municipalities to raise taxes to protect the environment. Uxbridge has to raise taxes to fight against development on the Oak Ridges moraine. I doubt you'll find that in the Blueprint.

None of this should come as a surprise. After all, this government has shown nothing but contempt for local governments and local democracy since the day it assumed office.

I call on the government to set up a fund to pay municipalities' legal bills for OMB hearings. Of course, they have another option. They could take our advice and provide a comprehensive policy to protect environmentally sensitive areas like the Oak Ridges moraine.

#### ELLWOOD MADILL

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I rise today to pay tribute to Ellwood Madill, a community leader in my riding who passed away on December 5. Mr. Madill was a long-time political representative who was well respected in the Dufferin area.

Mr Madill enlisted in the Royal Canadian Air Force in 1942 and served as a flying officer in Canada and England until 1945. Following the war, Mr Madill moved to Mono and had a successful career with Mutual of Canada insurance. He later established Madill Financial Services in the town of Mono, a family business that is still operated today.

1340

In the 1960s our community elected Mr Madill as the federal Conservative member of Parliament, where he served three terms for the people of my riding. In local politics, he has also served as a councillor and deputy reeve of the town of Mono. He was elected as warden of Dufferin county and has served on numerous community committees.

Mr Madill was a life member of the Orangeville branch of the Royal Canadian Legion and the Orangeville Lions Club, a director of the Maple Cattle Breeders Association, as well as an active supporter of the Orangeville Fall Fair.

Mr Madill is survived by his wife, Thelma, his son, Grant, and daughters Patricia and Janet. He will be missed by his six grandchildren, his two brothers, Robert and Tom, and his sister, Mildred.

I welcome the opportunity today to rise and offer my sympathy to the family. I know I speak for many in my riding when I say that my community has lost a great community leader, friend, business owner and devoted family man.

#### MUNICIPAL RESTRUCTURING

**Mr Dominic Agostino (Hamilton East):** I rise today to point out another major flaw and problem in Bill 25, the mega-omnibus bill this government is going to ram through the Legislature sometime this week. Today we begin debate on this bill, a bill that impacts many municipalities in a very significant way across this province.

What the government has left out is any reference to transitional funding for the communities that are affected. As you know, in the city of Toronto there was transitional funding to the tune of \$250 million. Similar funding has been provided across Ontario.

The special adviser, Mr O'Brien, recommended \$10 million for Hamilton-Wentworth. By our calculation, based on the Toronto formula, Hamilton-Wentworth should receive \$50 million in transitional funding if you are going to ram this bill through the Legislature in this week, as you plan to do. If this is not done, it's going to leave the new city with a debt of \$50 million starting January 1, 2001. This transitional funding is important because it is needed for restructuring costs, severance packages and consultants, as has been done across the province when communities have restructured.

There are many flaws in this bill. You're going to ram this bill, as it is, through the House without consulting people. You're going to ram it through with all its flaws and its faults, but I urge you, before the end of the week and before the bill is passed, to make an announcement in regard to transitional funding for our communities.

Hamilton-Wentworth needs and deserves the \$50 million. We are not second-class citizens. We should not be treated differently than Toronto and other communities. I urge the government to do the right thing. Introduce the funding and let us get on. If you're going to ram it through, give us a head start and don't put us in the hole.

#### MILLENNIUM MEMENTO

**Mr Peter Kormos (Niagara Centre):** Down in Niagara, students are ticked off, to put it mildly. Last week students at E.L. Crossley Secondary School had their student council meeting and they decided unanimously that this province can take their millennium books and—they have marked 600 of them "Return to sender." They brought them down to my constituency office this morning.

Students James Sandham, Ars Mazmanian, Amber Ebert and Carmi Sgambelluri, all executive members of that council, using a spare, drove to my office with 600 copies of this millennium book. They first noted the paucity of secondary school content, but at the end of the day the issue was that \$2.5 million worth of government propaganda later, they've still got shortages in teaching staff, they've got shortages in extracurricular programs, they've got shortages in textbooks, they've got shortages in library supplies.

Shame on this government. What an obscenity when students have to stand up for their rights for adequate



funding for education and this government wants to blow \$2.5 million on propaganda, with another \$300,000 set for edition number 2.

The students suggest that it might have been more appropriate for the government to lend support, let's say, to student council yearbooks by way of sponsoring a millennium page. What a good suggestion. Unfortunately, this government isn't about to consider it.

#### ANDREW MURPHY

**Mr John O'Toole (Durham):** It's with a tremendous amount of respect and admiration that I stand in the House today to relay the actions of Andrew Murphy, a young man from my riding of Durham.

This past week, the Ontario Community Newspaper Association announced that this 13-year-old grade 8 student from the village of Newcastle in the municipality of Clarington is one of the Ontario Junior Citizens of the Year. The junior citizen award can be given to up to 12 young people between the ages of 6 and 18 each year.

I want to tell the people of Ontario of the remarkable courage and selflessness that Andrew displayed on the night of May 10. That evening, Andrew's father, Rick, suffered an aneurysm. Andrew applied CPR to his father until the ambulance arrived. Unfortunately, his father passed away later that evening.

On the drive home with one of his neighbours, Mrs Cathy Morrison, Andrew noticed smoke coming from another home in the neighbourhood. Insisting that something was wrong and that it wasn't fog, he insisted they stop the car. They witnessed the garage of Gord and Beverly Jeeves on fire. Mrs Morrison awoke her husband Ted, an off-duty firefighter, who got the family safely out while she called 911.

Thanks to Andrew's awareness and persistence, the Jeeves and their two children escaped without injury. Andrew will be presented with a plaque from the lieutenant governor this coming spring.

I'd like to offer my condolences to Andrew, his mother Lyn and the entire Murphy family for their loss.

Andrew's selfless actions that evening remind each of us of the fragile interdependence we have in a sharing community.

#### HOUSE SITTINGS

**Mr Dwight Duncan (Windsor-St Clair):** Today marks the 27th day that the Ontario Legislature has sat in the calendar year 1999.

I remember members of the government bragging, some two years ago, about the number of days we sat. How times have changed.

We do not have the opportunity to question ministers effectively all the time. We've had estimates curtailed in debate. We've had budget debate curtailed. We are getting more and more omnibus bills, bills that have sections in them that are not related and that are simply designed to prevent meaningful discussion.

In the last 10 years, we have had dramatic rule changes that have curtailed the opposition's ability to effectively participate in the affairs of this province and have conferred greater and greater powers on the executive.

We have had fewer days in committee in the last two years. It keeps going down and down.

Is it any wonder that the opposition gets a bit rowdy? Is it any wonder that the tenor of debate drifts downward year after year? I suggest it's due to a government that doesn't want to face the people and doesn't want to discuss issues, and I think it's time everyone in the government started showing up for question period.

#### AGRICULTURE INDUSTRY

**Mr John O'Toole (Durham):** It's important to rise today and pay respect to the agriculture community in my riding of Durham.

Over the past weekend I had a number of calls. Indeed, I might say for the record that I called a number of people who are involved in the agriculture sector in Durham riding: Mr Ted Watson, who runs a horticultural field crop operation, Mr David Frew, who runs a very large farm operation and other members in the community were concerned that agriculture is the top issue at the moment in this province.

They were also ready to commend our Premier for his decisive position when dealing with our federal Liberal government and the inequity that's shared by the farmers of Ontario with respect to their 23% of output and yet only 16% share of the safety net programs.

I want to make sure the constituents I have mentioned, and all the farmers in my riding, are being listened to by our Premier. I can certainly assure them that I will be standing on their behalf and dealing with our Minister of Agriculture, the honourable Ernie Hardeman. I can assure them that our minister is listening.

#### MOTIONS

#### HOUSE SITTINGS

**Hon Frank Klees (Minister without Portfolio):** I move that pursuant to standing order 9(c)i, the House shall meet from 6:45 pm to 9:30 pm on December 13, 14 and 15, 1999, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say aye.

All those opposed will please say nay.

In my opinion, the ayes have it.

The motion is carried.

**Hon Mr Klees:** I move that pursuant to standing order 9(c)ii the House shall meet from 6:45 pm to 12 am on



Thursday, December 16, 1999, for the purpose of considering government business.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

### DEFERRED VOTES

#### MINISTRY OF HEALTH AND LONG-TERM CARE STATUTE LAW AMENDMENT ACT, 1999 LOI DE 1999 MODIFIANT DES LOIS EN CE QUI CONCERNE LE MINISTÈRE DE LA SANTÉ ET DES SOINS DE LONGUE DURÉE

Deferred vote on the motion for third reading of Bill 23, An Act to amend certain statutes administered by the Ministry of Health and Long-Term Care in relation to supporting and managing the health care system / Projet de loi 23, Loi modifiant certaines lois dont l'application relève du ministère de la Santé et des Soins de longue durée en ce qui concerne le soutien et la gestion du système de soins de santé.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1351 to 1356.*

**The Speaker:** All those in favour will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Hodgson, Chris	Skarica, Toni
Baird, John R.	Jackson, Cameron	Snobelen, John
Barrett, Toby	Johns, Helen	Spina, Joseph
Chudleigh, Ted	Johnson, Bert	Sterling, Norman W.
Clark, Brad	Kells, Morley	Stewart, R. Gary
Clement, Tony	Klees, Frank	Stockwell, Chris
Coburn, Brian	Mariand, Margaret	Tascona, Joseph N.
Cunningham, Dianne	Martiniuk, Gerry	Tilson, David
DeFaria, Carl	Maves, Bart	Tsubouchi, David H.
Dunlop, Garfield	Mazzilli, Frank	Turnbull, David
Ecker, Janet	Munro, Julia	Wettlaufer, Wayne
Elliott, Brenda	Mushinski, Marilyn	Wilson, Jim
Eves, Ernie L.	Newman, Dan	Witmer, Elizabeth
Galt, Doug	O'Toole, John	Wood, Bob
Gilchrist, Steve	Ouellette, Jerry J.	Young, David
Gill, Raminder	Palladini, Al	
Hastings, John	Runciman, Robert W.	

**The Speaker:** All those opposed will please rise and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Cleary, John C.	Kwinter, Monte
Bartolucci, Rick	Colle, Mike	Marchese, Rosario
Bisson, Gilles	Conway, Sean G.	Martel, Shelley
Bountrogianni, Marie	Curling, Alvin	McGuinty, Dalton
Boyer, Claudette	Di Cocco, Caroline	McLeod, Lyn
Brown, Michael A.	Dombrowsky, Leona	Parsons, Emie
Bryant, Michael	Duncan, Dwight	Phillips, Gerry
Caplan, David	Hampton, Howard	Sergio, Mario
Christopherson, David	Hoy, Pat	Smitherman, George
Churley, Marilyn	Kormos, Peter	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 49; the nays are 29.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

1400

### ORAL QUESTIONS

#### LIQUOR CONTROL BOARD OF ONTARIO

**Mr Dalton McGuinty (Leader of the Opposition):** My first question today is for the Minister of Consumer and Commercial Relations. We learned of some very disturbing revelations during the course of the weekend. We learned that the man running the LCBO has been accepting free trips around the world paid for by liquor suppliers, we learned that he has used his office to give a select few special access to rare wines sold by the LCBO, and we've also learned that he has accepted stock options worth over \$140,000 from a promoter of Italian wines. The man who is doing all of this is Andy Brandt, the former leader of your party, the former leader of the Ontario Progressive Conservative Party.

Mr Brandt is saying there is absolutely nothing wrong with this behaviour. Do you agree with your former leader, Minister, that there is absolutely nothing wrong with this scandalous behaviour?

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** Upon hearing of these allegations and the investigation—I think we can characterize it as an investigation—by the Toronto Star, I did ask my deputy minister to investigate what the Star was suggesting had occurred. The deputy has reported back to me, after a review of the allegations and the existing policies and procedures that have been in place for some 10 years, that Mr Brandt and the LCBO conducted themselves appropriately.

**Mr McGuinty:** That is very interesting news to the people of this Legislature and the people of Ontario. We are talking here about the largest buyer and retailer of booze in the world, \$2.3 billion in annual sales, and you are now telling us, Minister, that it is perfectly acceptable for the man in charge of the LCBO to accept free trips to exotic locales worldwide paid for, subsidized by and financed by a select few suppliers of booze. Apparently there is nothing wrong with that, that puts him in no conflict of interest whatsoever, and it does nothing to take the playing field from being level, according to your standards.

Minister, tell us again: How could it possibly be, given this behaviour, that you are telling us that applying your standards, there is nothing at all wrong with this?

**Hon Mr Runciman:** This is another example of the Liberal Party using the Toronto Star as its basis for questions in this House. The Toronto Star is renowned, as far as this party is concerned, for being long on innuendo and short on fact. This is another case in point.



They mention a specific example about favouritism, and in fact the market share in Ontario of the company that is referred to in the article is virtually identical to their worldwide market share. So to suggest in this House and to reiterate an allegation made in the Toronto Star is, I would suggest, lowbrow character assassination of a very fine public servant.

**Mr McGuinty:** It's perfectly clear now that you have decided you're just going to dig your heels in on this one. That's all you intend to do, notwithstanding that it is perfectly obvious to any objective observer that this is totally unacceptable behaviour. We're talking about the man running the LCBO, a \$2.3-billion operation, and you are telling us that it is perfectly acceptable for him to accept free trips paid for by one of the suppliers to his business. You're telling us that there's nothing wrong with that whatsoever and the message you're sending to all other suppliers right across the province, indeed right across the world, is that it would be perfectly acceptable that they too finance free trips to exotic locales for the head of the LCBO in Ontario.

Minister, will you not do the right thing now? Will you not stand up, understand that this is a firing offence, and turn this matter over to a committee of this assembly so that we can get to the bottom of this scandal?

**Hon Mr Runciman:** The Leader of the Opposition wants objective assessments.

The Association of Canadian Distillers: "Let me assure you the members of the Association of Canadian Distillers believe that all members enjoy fair and reasonable access to the LCBO."

The Wine Council of Ontario: "Throughout our dealings with the liquor board we found the board to be even-handed and fair and a truly objective observer."

"I want you to be aware that prior to the 1990 provincial election, I offered Mr Brandt a number of senior government appointments, including the position he now holds with such distinction. I did so with complete confidence in Mr Brandt's leadership skills, his professional ability and his integrity. In nearly three decades of public life, Mr Brandt has served the people of Ontario admirably in many capacities, and it is my belief he continues to do so in his present position as Chair and CEO.

"Yours sincerely, David R. Peterson."

If he wants an objective assessment, he must be truly embarrassed by the hatchet job his successor is trying on a fine public servant in this province.

#### MONTFORT HOSPITAL

**Mr Dalton McGuinty (Leader of the Opposition):** My second question is for the minister responsible for francophone affairs. Minister, Franco-Ontarians were deeply saddened, hurt and angered to learn of your position that when it came to the new city of Ottawa—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Could we have some order when a question is being asked, please?

**Mr McGuinty:** Minister, Franco-Ontarians were deeply saddened, hurt and angered to learn of your position that as far as the new city of Ottawa is concerned, it is perfectly satisfactory to you that the new capital of Canada be unilingual. You let Franco-Ontarians down. You didn't stand up for their interests.

Now they have another real and pressing concern. It has to do the Montfort Hospital in the new city of Ottawa. They are very concerned that your government is about to appeal a unanimous court decision that said it was wrong for your government to attack the Montfort Hospital, the only full-service French-language teaching hospital in our province.

What they want to know from you today, minister, is: Are you going to stand up for the interests of Franco-Ontarians? Will you stand up today and defend the Montfort Hospital?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** I refer the question to the Minister of Intergovernmental Affairs.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I understand that the Health Services Restructuring Commission has announced that they will be appealing to the Ontario Divisional Court the decision on the Montfort Hospital. That was issued by a press release at 1 o'clock today

**Mr McGuinty:** This has to be the worst francophone affairs minister that has ever been saddled upon Franco-Ontarians; there is no doubt about that whatsoever. He didn't have the decency to take this question and speak to their very real and pressing concerns. This has entirely to do with the rights of a minority-language group to enjoy the services offered by the only full-service French-language hospital in Ontario. That's what this issue is all about, and Franco-Ontarians are wondering if anybody on that side of the House in the Mike Harris government stands up for their interests.

I ask you again, Minister: Will you stand up and defend the interests of Franco-Ontarians to enjoy the services offered by the crown jewel of francophone services in Ontario, the Montfort Hospital?

**Hon Mr Sterling:** It's my understanding that the Health Services Restructuring Commission believes this decision is far-reaching in terms of its impact on the interpretation of our constitution, the formation of public policy and the role of the courts in the process. They have indicated that this is the rationale for their appeal, and I think that should be straight.

**Mr McGuinty:** Minister, nobody's buying this duplicitous claptrap. You are the people behind this appeal. You are the ones who attacked the Montfort Hospital at the outset. You failed to recognize its unique place in the delivery of health care services in Ontario. Now you cannot be said to be shuffling this matter off to the Health Services Restructuring Commission. This is all about the Mike Harris government and the position it takes vis-à-vis the rights of the minority French-language group in

our province. It has nothing to do with the Health Services Restructuring Commission and everything to do with your attitude towards Franco-Ontarians.

1410

I'm going to ask you one more time: Since the minister responsible for standing up for francophone affairs refuses to do so, I'll ask this minister, will you stand up for Montfort Hospital? Will you stand up for the rights of Franco-Ontarians to enjoy the services offered by the only full-service French-language teaching hospital in Ontario?

**Hon Mr Sterling:** One of the problems that a minister of the crown does have is in terms of talking about a particular case. I'm not talking about this particular case, but I have before, as a general concern, raised the whole matter regarding the increasingly blurred roles of the Legislature and the courts of our country. I have done that on more than one occasion. It has been ongoing for a number of years.

*Interjections.*

**The Speaker:** Order.

**Hon Mr Sterling:** I'm talking here again in general principles and not with regard specifically to this case. Decisions are continuing to have more impact on provincial policy-making, and we as legislators are responsible for implementing these decisions.

#### HOME CARE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Health. I want to ask the Minister of Health about her regulation to limit home care in Ontario.

As you know, you passed a regulation last March, without any notice to the public, which now limits home care to two hours per day. You said at the time that this wouldn't affect people's access to health care.

I want to ask you about Leila Stewart, a woman who was receiving five hours of home care that allowed her to manage and to live in her home. But since you brought in your regulation to limit home care, her hours of home care have been progressively cut such that she is now looking at institutional settings to look after her health care.

Do you think it's a good deal for Ontario taxpayers to force chronically ill patients and seniors out of their homes and into institutions by cutting their home care?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** The new regulation that does enforce the maximum levels reflects the highest level of service available anywhere in this province. It is those service levels, which were previously not legislated, that will ensure that there is consistency throughout the province. As the leader of the third party knows, we've increased funding for home care in this province by some 43% since 1995.

**Mr Hampton:** Minister, that may sound good for the bureaucrats, but for people out there who actually need home care, it makes no sense at all. Leila Stewart was

receiving five hours of home care per day. That is what was prescribed by her physician, and the Wellington-Dufferin community care access centre was providing it until after you passed your regulation. Over the past five months they've been cutting it. They now have it down to 2.5 hours a day. She went to hospital last week in an ambulance because she's not receiving the home care she needs. She's headed towards institutionalization.

Is this your idea of a better health care system: Cut back on home care so that people who are living independently at home are forced into hospitals and into homes for the aged and nursing homes, which are more expensive? Is that your version of the health care system? If it isn't, then you should restore those hours of home care. Will you do that, Minister, or are you going to force her into an institution?

**Hon Mrs Witmer:** The leader of the third party knows that we have the most generous level of home care services in all of Canada. We're presently paying about \$115 per capita. The next highest is Manitoba at \$97.62. So the new maximum service levels are as high as or higher than anywhere else in Canada.

He also knows that it is the local CCAC, which has a board that has local members of the community serving on it, that has the opportunity to make decisions regarding maximum service levels; also, if it is determined, they can go beyond those maximums. It's up to the local CCAC, of which there are 43 in Ontario.

**Mr Hampton:** Let me give you the gist of this minister's answer. Because Ontario started to build a home care system in the late 1980s and started to improve on it during the early 1990s, this minister now says it's a reason to cut it. She makes a comparison between Ontario and Manitoba, where the Conservatives cut home care, and says that's justification to cut home care in Ontario. Then she says this is all in the hands of the local CCAC.

Minister, you're wrong. Read your own regulation. This is not in their hands. Only in extenuating circumstances and only for 30 days can they offer more than two hours of home care per day. They are being regulated down by your regulation. They're being forced to cut the home care that this person needs and that other patients need. Is this your version of a good health care system, where you progressively cut home care and force patients into hospital, into homes for the aged, into nursing homes or into getting a private nurse? Is that your version of a better home care and health care system for Ontario?

**Hon Mrs Witmer:** I think the leader of the third party has forgotten that in 1995, when we became the government, we inherited some very long waiting lists from their government. In fact, we have made no cuts. We have actually increased funding by 43% since 1995. We are presently spending the highest level at any time in the history of this province. We're spending \$1 billion. There were no cuts. However, we did inherit a long waiting list from the NDP, but we fixed that.

**The Speaker:** New question, the leader of the third party.



**Mr Hampton:** I would say to the Minister of Health, first you cut hospitals and force people into home care. Now you're cutting home care.

### LIQUOR CONTROL BOARD OF ONTARIO

**Mr Howard Hampton (Kenora-Rainy River):** My next question is for the Minister of Consumer and Commercial Relations. I think you would agree with me that the allegations that have been brought with respect to Mr Brandt at the Liquor Control Board of Ontario are serious allegations: allegations of kickback, of putting listing policy up for sale, conflict of interest, favouritism in awarding contracts.

Minister, don't you think that allegations that serious should receive the attention of an independent, outside investigation, not someone who is connected to your government and not someone who may be connected to Mr Brandt in his role now or in his past role? Don't you think this is something that should receive the attention of an independent investigator?

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** As I indicated in an earlier response, there has been an investigation conducted by an ADM within the ministry; an internal audit committee as well. We have reviewed the policies and procedures that have been in place for some time, including during the time your party was in government. In fact, we have received assurances that Mr Brandt fully complied with the policies and procedures that are now in place. In fact, the allegations contained in the Toronto Star article have been rebuffed, if you will, by the various parties who work with the LCBO. We've had a letter from the distillers and we've had a letter from the Wine Council of Ontario. The allegations certainly didn't stand up to any scrutiny in terms of an internal investigation, and the stakeholders as well have completely rebuffed them.

**Mr Hampton:** I want to point out what I think is a serious flaw in the minister's argument. We know the Liquor Control Board of Ontario does billions of dollars worth of business. It generates \$800 million in profit revenue for your government. It generates several hundred million more in terms of taxes. It is the largest purchaser of alcohol and spirits in the world.

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When you say this has been dealt with by someone in the civil service, we know that such civil servants as David Lindsay and Rita Burak, the head of the civil service, regularly attend wine-tasting receptions at the invitation of Mr Brandt. We know that civil servants have gone to work for Mr Brandt and then have gone back into the civil service.

My point is—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order.

**Mr Hampton:** I gather the Conservatives don't want this question to be put.

*Interjection.*

**The Speaker:** Minister of Education, please come to order.

**Mr Hampton:** When people like Rita Burak, the head of the civil service, and David Lindsay, who is the head of your Ontario Jobs and Investment Board, are regular guests of Mr Brandt and are closely connected to Mr Brandt, when people who work for Mr Brandt are regularly going into the civil service and back, I would say to you that you want to be sure that all the conflicts of interest are dealt with. That calls for an independent investigation. That calls for someone who is not from the civil service, not from your office, not from the Premier's office and not from Rita Burak's office. Do you get my point?

I think it's time for an independent investigation of this to satisfy the public of Ontario that the right thing is being done. Don't you agree, Minister?

**Hon Mr Runciman:** I think the opposition parties are engaging in a vicious and disgusting attack on an individual who has served this province in a very distinguished way for over 30 years as the mayor of Sarnia, as a member of cabinet, as a representative in this assembly and as the chair of a crown corporation, appointed by the Bob Rae government.

If this party truly cared about conflict of interest instead of scoring cheap political points—just a few weeks ago we brought forward Bill 11, which established the office of Conflict of Interest Commissioner. What did the NDP do with respect to that bill? They voted against it. How sincere are the leader of the third party and the Leader of the Opposition when they express concern in this House about conflict? They—

**The Speaker:** Order. The minister's time is up.

### HIGHWAY 407

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Finance. A few days ago the government announced that any municipality that is planning to sell electrical utilities for a cash grab, as you call it, must submit a plan showing how this will result in lower electricity bills.

The biggest cash grab in the history of Canada, as you know, was the sale of the 407, which sold for \$3.1 billion. It was \$500 million more than Air Canada and the CNR together. But now we know why. The users of the 407 are being ripped off. If you drive a car from Markham to Mississauga and back, the toll is \$14 a day—that's \$3,640 a year—and you have guaranteed the purchaser that they can double the tolls over the next 15 years, at twice the rate of inflation.

My question to you is, what you've done to the 407 users is outrageous. Will you agree to do exactly what you ordered the municipalities to do? Will you bring forward a plan to lower the tolls on the 407?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** No, we won't bring forward a plan to lower the tolls on the 407. The public understands that Highway 407 is a privately operated, tolled highway. They

don't have to use the highway if they don't want to. There are other avenues for the public to take, such as the 401.

I don't see anything wrong with the privatization of Highway 407. It was the largest highway privatization in the history of the world, and the government is frankly quite proud of that.

**Mr Phillips:** I want to speak on behalf of the users of the toll road. When you build the road to Oshawa, if a truck takes that road from Oshawa to Burlington, they're going to be paying tolls of \$21,500 a year, doubling to \$45,000. I saw in the weekend paper that people were planning to buy houses in Oshawa. If you're planning to drive from Oshawa to Yonge Street, you're going to be paying \$2,600 a year in tolls to start, and it's going to be going to \$5,200. If you think that is fair to the people who live in that area, that they're going to pay those outrageous tolls and they're going to live with the fact that you guaranteed they can double over 15 years, you and I are in a different world. People out there don't believe they should be asked to double their tolls and pay \$6,000 a year in tolls just to use the 407.

Here's what you said to municipalities: You want them to have the backbone to come forward with a plan that will lower electrical costs. I want you to show, as you said, some backbone and come to the people with a plan that will see them, not double their toll costs, but lower their toll costs.

**Hon Mr Eves:** The honourable member is quite right; we are in a different world. There is no doubt about that.

I don't understand. Nobody is forced to use Highway 407. There are four-lane highways that people can use as opposed to the 407 if they want to come from Oshawa—where the highway isn't yet, I might point out to the honourable member—to the city of Toronto. Nobody compels them or forces them to use Highway 407. They do so of their own free will and volition. They know what it's going to cost them to do it. I don't understand the basis of the honourable member's question.

### COMMUNITY SAFETY

**Mr R. Gary Stewart (Peterborough):** My question is to the Solicitor General. In my riding of Peterborough I talk to a lot of people on a daily basis, whether it be door to door or on the phone. Throughout the community, my constituents keep telling me that community safety is one of their top concerns. I'm sure the concerns of my constituents are the same concerns of all the people of this province. Minister, can you tell me and the people of Peterborough about the community safety initiatives this government has made?

**Hon David H. Tsubouchi (Solicitor General):** I'd like to thank the member for Peterborough for his question. Everyone in Ontario deserves the right to be safe within their own communities. We should have the right to ride in our cars, ride on the subways, be safe in our homes, be safe in our communities, expect our children to be able to go to school safe from criminals.

We have looked at a number of programs to try to enhance these types of community safety.

One of the programs is Partners Against Crime. This was launched in June 1997. This grant program focused on community and personal safety. These were aimed at certain areas, such as break-and-enters and crimes against the elderly. Part of this initiative is the community crime prevention grant. In 1997-98, our ministry funded 49 community agencies, for a total of \$1.3 million. In 1998-99, it now includes 60 communities, with an expenditure of \$1.5 million. We believe it's important to keep our people safe in their own communities in Ontario.

**Mr Stewart:** Thank you for your answer. This initiative by our government sounds, in my mind, like a comprehensive crime prevention program that will enhance community and personal safety.

### *Interjections.*

**Mr Stewart:** From the comments across the way, it appears they are not interested in personal or community safety. It also sounds to me like what you're talking about is an effective means of addressing local crime prevention needs. Could you give the House some specific examples about communities that have taken advantage of the Partners Against Crime initiative and the community crime prevention grants, please?

**Hon Mr Tsubouchi:** We believe the best solution for this would be to have members of our community and our neighbours working with the police to try to come up with comprehensive community safety programs. I believe the Partners Against Crime initiative and the community crime prevention grant program respond to these concerns. In the case of the member's riding of Peterborough, for example, \$15,000 was given to the student Crime Stoppers "Do the right thing" project. Students used this grant to make a video and inform fellow students of the Crime Stoppers program. It also educated the students on how to recognize and report crimes to the Crime Stoppers program.

In addition to this, the Senior Citizens Council—Peterborough also received a \$28,000 community crime prevention grant and developed Scamblock, which provided programs to combat crime against the elderly. These are just two examples of the community safety initiatives which I believe are very important to our communities.

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### HEALTH CARE

**Mr Ernie Parsons (Prince Edward-Hastings):** My question is to the Minister of Health. Day after day, you stand in this House and tell us that the chaos in the health care system is caused by some other government.

I have a case for you that occurred on your watch. Judge Bill Pickett of Belleville suffered a heart attack last week, and because of bed shortages, mismanagement and chaos in the health care system, had to wait three days for specialized treatment. He was sent from Belleville to Kingston for an angiogram; there was no bed available.



Ottawa was tried; there was no bed. It was only when Mr Pickett's condition worsened that a bed was found for him in Kingston.

Minister, what do you have to say to Judge Pickett and his family, who, like many people in this province, are being subjected to undue hardships, lengthy waits and, indeed, crises in the health care system that make them fear for their lives?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member can appreciate, this is an issue of long-standing concern. Actually, it was here when your Liberal government was in power. We have certainly identified that we want to ensure that we improve access to health services for all people in the province, so we have been restructuring the health system. We have been investing in the health system in order to ensure that priority services such as cancer, cardiac, hip and knee replacement and dialysis services are all provided closer to home. As he knows, as well, we're modernizing our hospitals and we're investing \$3.2 billion in order to ensure that those services which are long overdue are going to be there when needed.

**Mr Parsons:** Minister, you need to blame the government that was in place for the last four years.

Let me tell you about another case. Joan Reid, a constituent from Belleville, wanted you to know that her husband, a war vet, suffered the stress of having his heart operation cancelled six times. Try to imagine the stress in that family.

Mr Pickett and Mr Reid had excellent care in Belleville, but required a treatment that wasn't available in that community. Your cuts have forced the closure of beds and do so at a time when backlogs are continuing to increase. Mrs Pickett stated, "I don't think the general public knows how bad it is now and how bad it gets; I sure didn't know."

And yet you continue to deny that there is a problem that has worsened. Minister, how many families have to find out the wrong way that you've made a mess of health care? How many more patients have to pay the price?

**Hon Mrs Witmer:** Maybe the member isn't aware of the fact that health spending in Hastings-Prince Edward, which of course is the Belleville community, has increased by over \$45 million since 1995. During that time, there was provision for additional money for priority programs such as cancer and heart care; \$266,000 for the Healthy Babies program; \$3.4 million for hospital restructuring; \$233,000 for emergency room funding; \$692,000 for transition funding; increase to base hospital budgets of \$768,000; mental health, \$1.2 million; Ontario drug benefit increases, \$3 million. All of these are initiatives that our government has put in place in order to ensure that we can modernize our system so that patients throughout Ontario have access to the needed services.

## SCHOOL ACCOMMODATION

**Mr Joseph Spina (Brampton Centre):** My question is for the Minister of Education. We've had some phenomenal growth in Peel county; in fact, probably the largest in this entire country. It has really put a lot of accommodation pressure on the school board.

I don't want to sound like a Liberal quoting the Toronto Star, but there is an article here in the Star on November 23 that says the Peel District School Board wants to build 21 new elementary schools as well as additions to two high schools in the next five years. That capital plan calls for the construction of 10 new elementary schools in Mississauga, nine in Brampton, two in Caledon, and those in fact impact me directly in Heart Lake.

A board spokesperson said in the article that the construction of these schools is part of the board's commitment to do away with portables. How is the minister going to find the funding formula that will assist this school board in achieving its capital plan?

**Hon Janet Ecker (Minister of Education):** I thank the member for Brampton Centre for his question. He's been pushing very hard for the education needs of his students. Here's an example where, because of the new way we finance education, the Peel board is able to go forward with a very ambitious plan to get rid of the backlog that had started to develop over the last many years because of inadequacies in the way that previous governments had funded education.

It is the board's responsibility to lay out the plans for accommodation, new schools and renovations. They have indeed laid out a very ambitious plan. The Peel District School Board is going to be receiving about \$20 million in grants for new pupil places, which is going to result in some \$200 million worth of construction. The Dufferin-Peel Catholic District School Board also received \$20 million. So we are seeing not only in Peel but also in other high-growth regions like my own, for example, Durham, a very major school construction program starting in this province.

**Mr Spina:** The chair of the school board stated in her press release that our board continues to grow by about 3,000 students per year. I'm glad that our government is recognizing that growth.

Minister, how is the new way that we fund this education capital system leading to new school construction throughout the rest of the province?

**Hon Mrs Ecker:** One of the improvements in the way we finance education now is that as the needs for new places for students grow, as that enrolment grows, the money grows as well to support the needs of those students.

As I mentioned earlier, we are at the beginning of one of the most significant, massive school-building campaigns we've seen in this province for many years. We're going to see something like 256 new schools built over the next several years. This year alone, 61 new projects; next year there will be 70 projects. The York Region

District School Board is looking at 17 additions, 24 new schools. The boards are able to plan much better for the needs of their students, and it is indeed a big improvement for us.

It is also going to allow those schools to finally start diminishing the number of portables that students have been forced to go to school in, so it's certainly a win-win for all the students in those regions.

### HÔPITAL MONTFORT MONTFORT HOSPITAL

**M. Gilles Bisson (Timmins-Baie James) :** Ma question est pour le ministre délégué aux Affaires francophones. Vous savez que la Cour divisionnaire a récemment jugé en faveur de l'hôpital Montfort, en décidant que votre commission de restructuration n'avait pas le pouvoir de fermer la plupart des programmes qui ont fermé à l'hôpital Montfort. Vous savez aussi, monsieur le ministre délégué aux Affaires francophones, que votre commission de restructuration a aujourd'hui même annoncé qu'ils vont faire appel à cette décision de la cour.

Ma question est simple et peut seulement être répondue par vous, le ministre délégué aux Affaires francophones : allez-vous demander le statut d'intervenant devant la Cour d'appel de l'Ontario, en défense du jugement qui était favorable à la cause de l'hôpital Montfort ?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs) :** I refer this question to my colleague the Minister of Intergovernmental Affairs.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader) :** The health restructuring commission has appealed this particular decision. It is expected that if the health restructuring commission came to an end, which it would naturally do, the Minister of Health would fulfill the role that the health restructuring commission would be undertaking.

**M. Bisson :** On a un problème dans la communauté francophone de la province de l'Ontario quand on pose une question dans la Chambre au ministre délégué aux Affaires francophones pour oeuvrer de la part de nous, les francophones, et tout ce qu'il peut faire est de nous référer à un ministre qui ne peut pas même parler le français. C'est votre bataille, monsieur le ministre. Vous êtes le ministre responsable des Affaires francophones et on vous demande, notre ministre, de nous protéger et d'aller devant la cour avec nous pour défendre l'hôpital Montfort. Allez-vous le faire ? Oui ou non ?

**Hon Mr Sterling :** It would not matter which minister was responsible for which matter. If a matter is in front of the courts, then it is incumbent upon a minister to withdraw his opinion or his support or his advocacy against the position that the court might take. The role of the minister, once we are in front of the court, is to be

neutral on that particular issue and let the court make its decision according to what the laws of our country are. If any minister would step out and say that he is in favour or against a particular issue, he would be interfering with our court process, which is against what all of our principles are.

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### EMERGENCY SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan) :** My question is for the Minister of Health. The crisis in emergency rooms continues. Yesterday, 13 of 25 emergency rooms in the Toronto area were sending patients to other hospitals; seven of them were not taking anyone in even if the situation was life-threatening. Your response to this life-or-death crisis is to call another meeting. Obviously the Premier has told you what he told us all last week, that it's not such a bad thing when emergency rooms can't deal with hospital emergencies. It would cost too much to fix the problem anyway, so you are once again going to stall for time and hope the crisis passes.

Kyle Martyn's father says that this isn't good enough. Dean Martyn is furious that your Premier can be so casual about a situation that could lead to another tragic death. The foreman of the jury in the inquest into Kyle Martyn's death is upset because the jury's recommendations have not been acted on. The chief of emergency services at North York General says nothing you've done so far is close to what is needed to turn the situation around.

Minister, a phone call to Kyle Martyn's father to tell him you're going to have a meeting isn't good enough. Can you tell Kyle Martyn's father what action you will take before this year ends?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care) :** I think the member appreciates the fact that our government has recognized that there are pressures in the emergency rooms, certainly more than your government did when they were in office.

As you know, we set up the committee. We had the hospitals meet with the Ministry of Health as quickly as possible. We did follow forward with all of the recommendations of the commission. We've invested \$225 million in order to ensure that nurses are trained and long-term-care beds are added to the system on an interim basis, and additional money has flowed to hospitals.

We also have fast-tracked another \$97 million in order to ensure that the emergency room expansions, which should have been done years ago, happen more quickly. As a result of the latest situation, my staff met this morning with the hospitals in Toronto.

**Mrs McLeod :** There are a couple of very key recommendations from the inquest into Kyle Martyn's death that you have chosen to ignore. One is that there should have been no further bed closures until the hospital bed shortage was addressed. Since that recommendation was made, 645 more acute care beds have



been shut down, in direct opposition to the recommendations of the inquest. The jury said that you should fix the hospital funding formula within six months, and yet today almost half of the hospitals in this province are in a deficit situation, including the Credit Valley Hospital where Kyle Martyn died.

You don't need a meeting to tell you what the problem is. Everyone on the front line is trying to tell you exactly the same thing: There are not enough beds in the hospitals to admit people coming in as emergencies. Hospitals are running at 90% to 95% capacity. There's no flexibility to deal with the unexpected.

Minister, it is past time to act. Will you make a commitment now to fund more acute care hospital beds starting immediately, or will this Christmas be a time of tragedy for even more Ontario families?

**Hon Mrs Witmer:** The member opposite knows that we have done everything that we have been requested to do. She also knows that the new funding formula that is being developed by the JPPC is going to be ready at the end of this year and that it's certainly going to form the basis of the money that flows to the hospitals as we look at the next calendar year. In fact, all of those recommendations, in accordance with what I've learned from the ministry officials, have been initiated, and we will continue to move forward. We're prepared to do even more. We need to ensure that people have access to the system.

This morning, as a result of the meeting with the hospitals in Toronto and with the ambulances and CritiCall, we are going to take further steps to establish three geographic clusters of hospitals in Toronto: one in the east, one in the west and one centrally. We're going to make sure the hospitals work co-operatively in order that access to emergency room services can be maintained—

**The Speaker:** Order. The minister's time is up.

### ELECTRICITY RESTRUCTURING

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** My question is to the Minister of Energy, Science and Technology. I read in the paper last week that a US electricity company named Sithe is planning to come to Ontario to build a power plant in Brampton.

Can you tell us what this plant will mean for the people of Brampton, and in general for the people of Ontario, and what prompted this company to come to Ontario?

**Hon Jim Wilson (Minister of Energy, Science and Technology):** I thank the member for Bramalea-Gore-Malton-Springdale for the question.

Let me begin by saying that Sithe is planning on investing a billion dollars US in Ontario's electricity sector. They are one of the largest independent power companies in the world, and plan to build two 800-megawatt gas-fired generation plants in Brampton and Mississauga.

Sithe is placing its confidence in Ontario in anticipation of the opening of Ontario's electricity market next

fall. We are less than one year away from giving customers the right to choose who provides their electricity and at what price. Tom Adams of Energy Probe has said that Sithe is a credible player and can drive down prices for consumers.

Over the next three years, Sithe will be creating more than 1,400 construction jobs in Ontario at the two sites. In addition, the plants will provide good-paying, high-tech jobs once they are open. When up and running, the two generating facilities will produce enough electricity to supply 1.5 million homes and businesses, and it's relatively clean electricity because it's gas-fired. We welcome this company's investment and confidence in Ontario.

**Mr Gill:** That is great news for Brampton and for Ontario.

Some people have argued that electricity restructuring is not good news for our environment and that it could lead to dirty power options. Is this true or not?

**Hon Mr Wilson:** The Energy Competition Act will allow customers, for the first time, to choose the type of electricity they want to buy. And beginning next November, customers will actually see on the electricity bill that comes to their home or business the emissions created by generation of the electricity coming to their home or business. I expect, after a number of years, that we're going to have a very highly-educated consumer base that is very knowledgeable about emissions, emission targets, emissions trading and all the issues around smog and the environment.

We're doing our part by making sure the customers have that information. Companies like Sithe are doing their part by bringing in cleaner generation and replacing our coal- and oil-fired generation facilities. Ontario Power Generation has some of the best emission controls in place. In fact, our emission controls are better than most of the US states we compete with. We're very proud of that. The environmental community recognizes that to a degree.

There's a lot more to be done, and we're going to continue to do our part with partners like Sithe in bringing down emissions and in educating consumers.

### EDUCATION FUNDING

**Mr Mario Sergio (York West):** My question is for the Minister of Education. You have been repeatedly told in this House how Bill 160 has taken money out of education, out of the classroom and has especially hurt Toronto's school kids. You continue to avoid that issue and do nothing.

I have raised the issue of parents who can't get help for their special-needs kids, and you haven't dealt with that either.

Let me read from a letter I received from a worried parent:

"I want you to be aware of the situation at St Jude Elementary School, thanks to Mike Harris's shortchanging of schools. My son, in grade 7, is regularly assigned a

couple of hours of homework each night, because the teacher is struggling to cram in all the learning mandated by the new provincial regulations. He's unable to complete his history assignments, however, because he still (nearly halfway into the school year) does not have a history textbook. He shares one in class, but can't bring one home. I am going to meet with his teacher" and hopefully can purchase one.

This mother goes on to say, "I can't understand how Harris can live with himself by shortchanging our country's future generation."

Let me ask, Minister, how do you live with yourself, shortchanging our children's education in such a manner?  
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**Hon Janet Ecker (Minister of Education):** I guess I would ask the honourable member, who supported a party when they were in government, how did they live with themselves, allowing the deterioration of education that they allowed under their administration?

One of the things that we heard loudly and clearly from parents before the election, and which we vowed to fix, was that the way financing for education was going it wasn't working, so we are working to fix that. They said that special education funding was not working; we have brought in a new way to make that work. They said that with the curriculum, students weren't learning what they needed to learn; we are fixing that. Teachers said they hadn't seen new textbooks in the classroom for years; we are also fixing that.

We laid out very clearly the goals and the objectives, the importance of making the education system better in 1995. We continue to do that in 1999, and we look forward to continuing to work with all of our partners, the boards included, to make the system better.

**Mr Sergio:** Again, I tell you this urgency is being raised consistently in this House, and all you can do in response is talk about the past, about how things were in school boards in past administrations. It is time to look to the future, Minister; yet what you have been doing is reminding us about the past.

It is our kids' future that you are short-changing. Your government has injected nearly \$2.5 million into a Millennium Memento book for students instead of injecting more money into the classroom for pupils, for teachers, for special education teachers, for books, textbooks students can learn from.

When are you going to pay attention to what parents like Lori Marangoni are saying and put up the money where it's needed the most and is going to do the most good for our children's education? When, Minister?

**Hon Mrs Ecker:** First of all, the opposition likes to keep going back to the millennium book. Not one cent of education money went on that, and they know that, so I wish they'd stop playing politics with that.

Second, the Liberal critic in our estimates finally admitted on the record that, despite all of the accusations from the Liberal Party, we hadn't taken \$1 billion out of education. Finally, he admitted that. We were very pleased to hear that.

Third, we are spending more on special education than has ever been spent before. We also recognize that there need to be changes in how we finance special education funding. We've met with boards; we've met with parents. We are listening to the input they are giving us. Our goal here is to make sure that we have a better curriculum. That is indeed out there, and people are telling me, for example, the curriculum is one of the most impressive changes they've seen in curriculum or in education in 20 to 30 years. We are continuing to move forward on our goal of improving education in this province.

## AGRI-FOOD EXPORTS

**Mrs Julia Munro (York North):** My question is to the Minister of Agriculture, Food and Rural Affairs. The minister will know that the agriculture and food industries are important to my constituents in York North. I know that the minister has recently announced his plans to strengthen technical and technology transfer services. The minister has also stated his intention to further strengthen agricultural safety nets. All these measures should put us in a better position to find and maintain markets, especially when we look at the problem agriculture has experienced here in Canada and around the world.

Can the minister share with the House how our agriculture and food exports have fared over this last year?

**Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs):** I'd like to thank the member from York North for the question. The member is quite right that the agriculture markets and prices have been in turmoil over the last year. I can report to this House that Ontario's strength lies in its agriculture diversity and in our value-added industrial sector.

As a result, in the first quarters of 1999 Ontario's agri-food exports increased to \$4.8 billion, a 5% increase over the same period last year. By comparison, the increase in 1998 was 10%, or \$6.2 billion, before the current crisis in Europe and the US subsidies impacted the industry.

Also, it is important to underline the significance of our diversity in the agriculture industry. Parts of our farming sector are as bad as or worse than our counterparts in the Prairies, but because of our diversity we have seen a modest increase this year of 4% in overall exports, outpacing the country, which has actually seen a drop of 3.3%.

**Mrs Munro:** It's good to see that we have been able to see growth in our export markets despite the problems. Can the minister give us an idea of some of the key products driving this increase?

**Hon Mr Hardeman:** To date, Ontario continues as Canada's leading exporting province in agri-food products. So far this year, Ontario agri-food exports represent over 30% of Canada's total agri-food exports. Value-added products lead the way for Ontario agri-food exports. In addition, it has traditional strength in beverages and baked goods. As well, floriculture and horticulture products enjoyed significant export sales in the



first three quarters of 1999. At last count, 65 out of the top 100 largest food processors in Canada had their head offices in Ontario. That speaks volumes for the quality of products our farmers produce and the growth in Ontario's economy over the last five years.

#### ONTARIO HUMAN RIGHTS COMMISSION

**Mr Rosario Marchese (Trinity-Spadina):** I'm glad the government members left enough time for me to ask two questions, because I didn't want to pack it in.

This question is for the Minister of Culture, Citizenship and Recreation. Last Thursday, we commemorated the anniversary of the international declaration of human rights. You will remember you spoke very glowingly about the Ontario Human Rights Commission.

The other members will know that the Ontario Human Rights Commission is the provincial body responsible for protecting and enforcing human rights. Most of these cases deal with people with disabilities and also issues of racism. You will also know that the budget was cut by \$600,000 a couple of years ago by you folks, and recently there were further cuts. Regional offices have been dismantled and many positions eliminated, despite the huge backlog.

Minister, I describe this as a dereliction of your duty to defend human rights in Ontario. How would you describe it?

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** I'd like to say, first of all, that I don't think I spent as much time talking about human rights issues as some of my colleagues across the way the other day.

What's important to recognize is that this government is managing the Human Rights Code. When we were elected in 1995, there was a backlog with human rights and we have done everything to minimize that backlog. In fact, we have taken unresolved cases and we have been systematically, year after year, asking the Human Rights Commission and the board of inquiry to work harder to ensure that those cases are heard more quickly, more effectively, and people have better results from the Human Rights Commission.

**Mr Marchese:** The member from Niagara Centre, last Thursday, spoke at length and very well on issues of human rights. I suspect some of them would have learned a great deal from it but, quite clearly, not enough. I just want to add a few more things for the record.

Your government removed anti-racism and multiculturalism from the school curriculum, not to mention the word "equity," which has been completely obliterated from any reference in curriculum matters. Secondly, funding for emergency shelters, which are chronically underfunded, were reduced again by 5%, and programming at second-stage shelter was completely eliminated in 1995. Third, child poverty in racial communities is over 40%. I would add, by whatever measure you choose, child poverty has gone down in the rest of Canada while it increased in Ontario.

#### Interjection.

**Mr Marchese:** Minister Stockwell indeed. My question is, why have you systematically attacked the rights of so many people in Ontario?

**Hon Mrs Johns:** Let me first say that Keith Norton is running the Ontario Human Rights Commission for this government, and I think he's making significant improvements and significant changes to better serve the people of Ontario. He has done a number of things which I think better serve the people, including a one-window service of inquiry and intake. He's made considerable efforts to ensure that complaints are being serviced as quickly as possible. In fact, this is the third year in a row when the Human Rights Commission has been able to hear more complaints and have more inquiries than they've actually received from the public.

I'd have to say that I think the Human Rights Commission is doing an incredible job. As we worked at budget planning, we asked the Human Rights Commission what they needed to have to be able to move forward. They have said they need people in the community but they don't need bricks and mortar to be able to do a great job for the people of Ontario, and we've followed through on that.

1500

#### VISITOR

**Mr Dominic Agostino (Hamilton East):** On a point of order, Mr Speaker: I want to acknowledge in the west gallery the presence of the regional chairman of Hamilton-Wentworth, Terry Cooke.

**The Speaker (Hon Gary Carr):** That is not a point of order, but I'm sure all members welcome him.

#### PETITIONS

##### MILLENNIUM MEMENTO

**Mr Rick Bartolucci (Sudbury):** I have a rather extensive petition. It's to the Legislative Assembly of Ontario.

"Whereas the Conservative government carelessly wasted more than \$2.5 million of taxpayers' money on producing the My Ontario Millennium Memento souvenir; and

"Whereas we feel that \$2.5 million would have been better spent on textbooks, computers and curriculum teaching materials which are sorely lacking in Ontario schools today; and

"Whereas students and parents want materials in their classrooms which are not blatantly partisan in nature as is this souvenir; and

"Whereas students and parents are participating in the Return to Sender program by returning thousands of unwanted copies of the millennium souvenir to Mike Harris; and

"Whereas this action by the Conservative government demonstrates their disregard for the priorities of Ontarians; and

"Whereas 500 hard-working Ontario families had to work one full year to pay their provincial income taxes to cover the cost of printing of this misguided project;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to condemn the skewed priorities of the Mike Harris government and demand that Mike Harris issue an apology to the people of Ontario for wasting taxpayers' money."

Of course I affix my signature, as I am in complete agreement with this petition.

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** On a point of order, Mr Speaker: I have a request for 949 additional copies in Mr Bartolucci's area. I'm wondering if he would send them over so we could send them back out to the people who would like to hear about them.

**The Deputy Speaker (Mr Bert Johnson):** That is not a point of order.

I have a couple of members standing in between us. If I can get their attention, I'm going to ask them to—I'm sorry, I can't hear. Someone's standing between me and someone who wants to talk.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances (carcinogens); and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to these carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

I continue to support these petitioners by adding my name to theirs.

#### KARLA HOMOLKA

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition to the Legislative Assembly of Ontario.

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

As usual, I'm pleased to affix my name to this petition.

#### MEDICAL LABORATORIES

**Mr Alvin Curling (Scarborough-Rouge River):** I have a petition to the Parliament of Ontario.

"Whereas the Ontario government has recently imposed a retroactive cap on revenue earned by medical laboratories for services provided under the health insurance plan; and

"Whereas the Ontario government has also required these businesses to refund revenue for services rendered in previous years where the amount of that revenue exceeds the retroactively imposed cap for those years; and

"Whereas this legislation amounts to expropriation of economic rights without adequate compensation or due process of law; and

"Whereas the greatest incentive to the provision of efficient and quality services and products by the private sector is competition and the ability to make a profit; and

"Whereas the removal of these incentives by government negatively affects all of society and particularly patients in need; and

"Whereas this type of legislation also unfairly discriminates against one sector of the society;

"We, the undersigned, petition the Parliament of Ontario as follows:



"That adequate protection of property rights is needed to ensure that government cannot erode the property rights of certain sectors of society without fair compensation and due process of law."

I will affix my signature to this petition.

### HIGHWAY SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** To the Legislative Assembly of Ontario:

"Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

"Whereas traffic levels on all sections of Highway 401 continue to increase; and

"Whereas Canada's number one trade and travel route was designed in the 1950s for fewer vehicles and lighter trucks; and

"Whereas road funding is almost completely paid through vehicle permit and driving licence fees; and

"Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to over \$2.7 billion in provincial gas taxes and over \$2.3 billion in federal gas taxes;

"We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with full paved shoulders and rumble strips; and

"We respectfully request that the Legislative Assembly of Ontario place firm pressure on the federal government to invest its gasoline tax revenue in road safety improvements in Ontario."

This petition is signed by a number of residents from Merlin and Chatham, and I affix my name to it.

### NORTHERN HEALTH TRAVEL GRANT

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographic locations;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I have affixed my signature in full accord with this concern.

1510

### KARLA HOMOLKA

**Mrs Tina R. Molinari (Thornhill):** I'd like to present a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm pleased to affix my signature to this petition.

### HAZARDOUS WASTE

**Ms Caroline Di Cocco (Sarnia-Lambton):** I have a petition to the Legislative Assembly of Ontario:

"Whereas Safety-Kleen is a company that operates a hazardous waste facility near Sarnia; and

"Whereas this company accepts toxic waste from all of Ontario and from many states of the United States; and

"Whereas this company failed to report in a timely manner to the Ministry of the Environment and to the community that a hazardous leak occurred;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To close down the hazardous waste dump near Samia and to tighten environmental regulation regarding toxic waste to protect the health of the people and the environment of Samia-Lambton."

I affix my signature to this petition.

#### OAK RIDGES MORaine

**Mr Mike Colle (Eglinton-Lawrence):** I have a petition to the Legislative Assembly of Ontario:

"To Save the Oak Ridges Moraine for Future Generations by passing Bill 12:

"Whereas the Oak Ridges moraine is the rain barrel for the GTA and the headwaters for over 50 streams and rivers that flow into Lake Simcoe and Lake Ontario; and

"Whereas the Oak Ridges moraine is threatened by uncontrolled development that will destroy hundreds of important natural areas and dozens of rare species of plants and animals; and

"Whereas government and expert reports are warning that permanent damage will be done to the supply of water if proposed developments are not managed properly; and

"Whereas the Harris government refuses to do anything to protect the moraine and refuses to listen to its own ministry experts, local residents and environmentalists; and

"Whereas the province must act quickly to ensure that environmentally responsible, sustainable development practices are put in place in this extremely fragile 160-kilometre strip of land that stretches from Caledon to Cobourg;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario pass Bill 12, the Oak Ridges Moraine Protection and Preservation Act, and freeze development on the Oak Ridges moraine until a plan is in place to protect and preserve the moraine for future generations."

I affix my name to this petition.

#### GASOLINE PRICES

**Mr Mike Colle (Eglinton-Lawrence):** I have a petition to stop the soaring price of gasoline arising from the gas price gouging of the major oil companies. It's to the Legislature of Ontario:

"Whereas the price of gasoline has soared over 30% in price in the last six months; and

"Whereas the Mike Harris government has done nothing to protect consumers and is afraid to take on the big oil companies; and

"Whereas the wholesale market for gasoline is controlled by an oil oligopoly which controls 85% of the wholesale market; and

"Whereas the big oil companies have used predatory pricing to eliminate small competitors; and

"Whereas, in 1975, former Premier Bill Davis froze the price of gasoline for 135 days and called an inquiry into the pricing practices of oil companies;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario call for a 90-day freeze on the price of gasoline while an inquiry is held into the pricing practices of large oil companies and that the province pass into law the Gas Price Watchdog Act which would protect consumers and independent oil companies from price gouging and predatory pricing."

I'll affix my name to that petition.

#### OMNIBUS LEGISLATION

**The Speaker (Hon Gary Carr):** As you know, last week the member for Windsor-St Clair rose on a point of order and we will be hearing the points of order now.

The member for Windsor-St Clair on his point of order.

**Mr Dwight Duncan (Windsor-St Clair):** Last week, when your colleague the Deputy Speaker was in the chair, I raised a point with respect to omnibus bills and also with respect, in a broader sense, to how the affairs of the Legislature are being conducted now and how difficult it's making it.

The week prior to that, my colleague from Thunder Bay-Atikokan raised a point of order with respect to the omnibus nature of Bill 23, which we voted on earlier today. I should note that that was another bill that in our view should have been broken out. Although there is a common strand in terms of the ministry, the two items contained in that bill were of a very different nature. Frankly, speaking in terms of the public interest, it's our view, the view of the official opposition, that the bill was indeed another example of something where both parts of the bill deserved the serious and undivided attention of the Legislature.

You'll recall, Mr Speaker, that one section dealt with the government's ability to sue third parties with respect to recovering health care costs. We view that as giving the government the ability to sue tobacco companies on cigarette smoking. That portion of the bill was one which the opposition would have been pleased to support separately had we had the opportunity to debate and vote on it separately.

The second part of the bill was designed to give the Minister of Health the powers of the Health Services Restructuring Commission until, as I recollect, the year 2005. Obviously the government supports that part of the bill and likes it. We in the official opposition do not support that and would have liked and believe we ought to have had the opportunity to debate that separately and apart from something that's very different, although very much attached vis-à-vis the ministry it emanates from.

You ruled on that. You cited concern at that time, but ruled that my colleague's point was out of order. You indicated that "the opportunity for members in this place to give due and sufficient consideration to legislation



should be respected. Evolving practice over the last several years has tended certainly to work against that." Again, I'm quoting you, sir.

The rights and privileges of all members of this House are undermined by the government's obvious desire to prevent meaningful debate either in the Legislature or, more importantly from our perspective, sir, among the general public.

Speaking of and referencing Bill 25—that's the bill that we will begin debating tonight—again it's a bill that deals with a number of different subjects, albeit tied in to the Ministry of Municipal Affairs. They are separate subjects, sir, that we believe ought to have the full attention of the House; for instance, the bill amalgamating the municipalities in Hamilton, in Ottawa, Sudbury, Haldimand-Norfolk. Each of those, in our view, merits at least some individual attention by this House.

The Speaker will also be aware that contained within that bill are further clauses that deal with a range of other issues, including the reduction in the number of members of Toronto city council.

Another important point that has tended to get lost is again notionally the idea that the government has put into this bill that will extend the ability of the government to appoint a commissioner under the Municipal Act for another two years. Even though those amendments come from the same ministry, indeed out of some of the same acts, it is the view of the official opposition that they are of sufficient importance and stature that they ought to have the attention of this House in an undivided fashion.

1520

It's the view of the official opposition that we again in a number of instances may have supported parts of that bill, but in other instances we simply can't. It's the view of the official opposition that indeed it's increasingly the strategy of the government to do just that: to make it difficult not only for the official opposition but moreover the people of Ontario to distinguish on matters that frankly, from our point of view, merit individual attention and individual concern.

Various speakers over time have referenced these types of bills and whether sufficient debate is allowed with regard to important public issues, whether a bill is split or not. Allow me to refer you to a ruling by the Honourable Lucien Lamoureux, Speaker of the federal House of Commons, as recorded in the Commons Journals for January 26, 1971, page 284. Lamoureux says, "There must be a point where we go beyond what is acceptable from a strictly parliamentary standpoint." He goes on to say, "... the government has followed the practices that has been accepted in the past, rightly or wrongly, but that we may have reached the point where we are going too far and that omnibus bills" of this type "seek to take in too much" too quickly.

James Jerome, on May 11, 1977, further indicated "some very deep concern"—not unlike the concerns you, sir, expressed some two weeks ago, "about whether our practices in respect of bills do in fact provide a remedy for the very legitimate complaint of the honourable

member that a bill of this kind gives the government, under our practices, the right to demand one decision on a number of quite different, although related, subjects."

While you, sir, last week expressed concern about the government's practices, you proposed no solution nor in fact did you direct the House leaders of the three recognized parties to come up with a solution. In order to protect the rights and privileges of all members of the House, the official opposition respectfully requests more guidance from you. We require a more definitive ruling either with respect to your own ruling or by directing that the House leaders of the three parties attempt to find a solution to this problem.

The government consistently uses its parliamentary majority to thwart any opportunity by the official opposition to meaningfully negotiate the way legislation is dispensed with in this House. This, coupled with changes to the standing orders over the past eight years that have been done by this government and by previous governments, has undermined meaningful debate on questions of broad public importance.

I think Mr Speaker Jerome's comments are most salient. Again today, at the 11th hour—this is the 34th day this House has sat this year; two separate legislatures have sat—we have bills that in our view, the view of the official opposition, only have a tenuous relationship, that merit a full public discussion and debate if we are to pay to them the kind of attention they deserve.

It's our hope, sir, that you will rule or direct the House leaders to find a way to deal with these kinds of circumstances. We find ourselves again today, with Bill 25, in the position where we will not be able to have public hearings on a bill that in our view is five very separate, very different, very important items that there ought to be time in the Legislature to debate in their entirety.

While the government will tell you that they have to get this passed in order to accommodate municipal elections next year, the fact is that this government, by its own precedent in the city of Toronto, didn't pass its Toronto bill until April of the same year those elections were held. The practice in municipalities in terms of municipal nominations is that most people, even though they can begin getting nominated by January 1—the process doesn't start in earnest until August or September.

So we look to you, sir, for direction, whether it be you breaking out certain bills or defining more clearly what is appropriate or not, but moreover, directing that the House leaders meet formally under your direction to find a solution to this problem.

It is, in our view, a direct threat to our ability as members not only to debate and come to understand bills, but more important, to allow the public the opportunity to participate in debates either through bills, through committee or otherwise. Our failure to do so, our failure to recognize the very wise comments of yourself some two weeks ago, and your predecessors in the federal House, we think continues to undermine this Legislature's ability to deal with issues.

We heard last week concern about the tenor of debate in this place, and it should be no wonder. As I've indicated, over the last eight years—indeed, over the last 10 years—the ability of oppositions and the ability of government members to debate legislation has been slowly whittled away to the point where, in utter frustration, debate does tend to degenerate to a stage I don't think any of us are happy with.

We recognize that this House is our House and that this House is one where we must agree to the rules. I ask you, sir, to understand that when a government has a majority, the government can, generally speaking, do what it wants. We're asking you to direct the House leaders to find a solution to this vexing problem so that we are not put in the position of having to vote once on items that frankly are very separate and very distinct even though they may have common threads, and allow us to have a more meaningful public debate into very important issues.

**The Speaker:** I thank the member for his point of order. The member for Hamilton West.

**Mr David Christopherson (Hamilton West):** I appreciate the opportunity to add my comments and go on the record with regard to this issue. At the outset I need to be very clear that I am not speaking as the House leader of the third party but rather the member for Hamilton West.

As this relates very much to my community, among others, I think it's important that I start by saying, Speaker, in addition to this being a point of order, I see it very much as a point of privilege to the extent that my rights as a member of this place are being denied me by virtue of the process—not the right to a legitimate mandate but the process that the majority government is using to implement Bill 25.

First of all, the size of this bill alone should cause everyone to stop and think for a moment, particularly when we look at the possibility that this bill could be law within days—some 167 pages in one bill. It's a huge bill. Without getting into the dynamics of the various component pieces, a bill this size alone deserves the proper scrutiny of committee and full House participation in terms of discussion, and there is every likelihood to believe that's not going to happen. I realize that we don't know that yet, but I think if anybody wants a pretty safe bet, putting money on the fact that there is going to be time allocation on Bill 25 is about as safe as they get.

You will know, Speaker, that this bill deals with—in fact, as the subheadings state—a number of different acts, different communities. The explanatory note alone, which you will know is normally one, two or three paragraphs at the most for a relatively complex bill, in the case of Bill 25, runs three pages. It's as long as most of the bills that we deal with, just the explanatory note alone.

The bill then goes on, as I mentioned earlier, to talk about the City of Greater Sudbury Act. It's a part of this, a separate bill. The Town of Haldimand Act should be a separate bill. The City of Hamilton Act should be a separate bill.

Lastly, the components that make up amendments, as they're called in schedule F, amendments to various statutes, go on and mention all kinds of different acts: the City of Toronto Act, the Electricity Act, the Municipal Act, the French Language Services Act. It goes on and on.

#### 1530

I want to make reference, as has my colleague from the official opposition, to a well-known and respected Speaker in Canada, and that would be Speaker Carr and your comment, sir, of Thursday, December 2, just within the last two weeks. I remind you, with respect, that at that time we were dealing with another omnibus issue, and the opposition was asking that you split the bill to allow us our right as members to comment and vote on different laws that we might have different opinions on, rather than bundling them into an omnibus bill, as we have here in the case of Bill 25.

At that time, Speaker, you said the following in response to my submissions: "I would, however, like to say that in determining this as Speaker, I have found that omnibus bills cause me great concern. I take what the member for Hamilton West has said very seriously. The opportunities for members in this place to give due and sufficient consideration to legislation should be respected, and evolving practice over the last few years has tended to work against that. In my ruling, I said very clearly that I find this bill to be in order."

On another point, Speaker, you say: "But again I say, and I take with great respect what the member for Hamilton West has said, that the opportunity for members in this place to give due and sufficient consideration to legislation should be respected. Evolving practice over the last several years has tended certainly to work against that."

Speaker, with the greatest of respect, I say to you that we would obviously agree with those words. But until such point as there is a change in practice in this place, respectfully, sir, they remain words, albeit comforting words but words nonetheless. At some point, we need you to step in and defend our right as minority members in the opposition to maintain our full rights as MPPs.

In my case in particular, for all my public life I have supported a one-tier government for my community. While I have some difficulties with the way this particular Hamilton act has been put together, I feel that I have a right to deal with that act as it affects my community. I represent one-third of the constituents. I believe I should have my right to express my concerns about that bill, made available to me, and my right to vote "yea" or "nay" on that bill.

As it happens, how I feel about that part of Bill 25 is different from how I feel about some of the other parts, because they do different things. Yet I, and anyone else in my situation, finds themselves basically in a situation of parliamentary blackmail, to the point that one vote for this bill, once it's on the record, can technically be used by anyone to state as part of my public record in representing Hamiltonians that I voted yes or no on every single component in here. I don't think that's right.



When I look at your comments of December 2, it seems to me that you are saying the same thing, that in cases like this where we have differing opinions on different parts of the same bill, at some point you cross a threshold where individual MPPs have lost the ability, through the process involved, to carry out their responsibilities and to have accorded to them the privileges and rights that a member of the provincial Parliament has.

So, Speaker, with great respect, I ask you to give effect and action to your earlier ruling to what seems to be your general leaning—and I don't want to put words in your mouth—by making a ruling in this case that breaks this cycle and returning at least some small amount of democracy to this place. By that I mean ensuring that individual MPPs in the opposition, in a House controlled by a majority government, have every opportunity to avail themselves of the rights and privileges that ought to be accorded and are meant to be accorded to individuals when they are given the honour by their community of sitting in this place and representing them.

**Mr Gilles Bisson (Timmins-James Bay):** Point of order, Mr Speaker.

**The Speaker:** Is it a different point of order or the same point of order?

**M. Bisson :** C'est un point d'ordre complètement séparé de ce point qui a été soulevé, monsieur le Président.

Vous savez qu'il est arrivé une couple de fois dans les deux dernières semaines que des membres de l'opposition dans notre parti ont posé des questions directement à un ministre, et vous, dans votre décision comme Président de la Chambre, avez dit que si on pose une question à quelqu'un et ce n'est pas nécessairement le meilleur ministre à qui diriger la question, le ministre avait le droit de référer la question. Vous savez que c'est arrivé directement la semaine passée et même la semaine avant. Aujourd'hui dans la Chambre j'ai posé ma question à M. Baird, le ministre délégué aux Affaires francophones, question qui était dirigée directement au ministre délégué aux Affaires francophones—

**The Speaker:** Would the member take his seat. This is a completely different point of order. He may not have come in during—this is a point of order on—

*Interjection.*

**The Speaker:** No, it's on a different matter, but I think the member anyway. Sorry. The chief government whip.

**Hon Frank Klees (Minister without Portfolio):** I appreciate the opportunity as well to speak to this point of order. Bill 25 may be an omnibus bill, but as my colleagues have previously spoken and admitted in this House, omnibus bills are not strangers to this place. In fact, there are many precedents in this very House of omnibus bills being considered, being debated, being passed.

I would say at the outset, Speaker, that I believe the issue before you is to deal with the appropriateness of this bill in the context of information that you should be considering as you deliberate on this. I believe that we'll

all agree that there are parliamentary rules and forms that guide this House, there are standing orders that guide this House, and there are precedents; and before we move to precedents in other parliaments, I believe you will agree as well that the precedents that have been set in this House must be considered before any precedents set in any other parliamentary forum. So I believe, as I will put the argument to you, that we have the precedents in this House for the form of legislation before you.

I refer you to Beauchesne, section 626: "Although there is no specific set of rules or guidelines governing the content of a bill, there should be a theme of relevancy amongst the contents of a bill. They must be relevant to and subject to the umbrella which is raised by the terminology of the long title of the bill." Where a bill adheres to this requirement, no Speaker in our parliamentary tradition has ruled such a bill out of order. The measures contained within Bill 25 clearly fit within the umbrella of its long title: "An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services."

This bill moves forward with restructuring initiatives in various municipalities, four specifically as referenced in the long title. It addresses a number of outstanding issues of municipal reform with the goal of helping our municipalities to rationalize their administrative structures, to deal with the mechanics of restructuring and to improve delivery of services. This municipal restructuring theme, this theme of relevancy—which, by the way my colleague from Windsor-St Clair referred to, and he admitted in his own argument to you that there is a theme of relevancy in Bill 25—is clearly reflected in the long title of the bill, as referred to in Beauchesne.

Omnibus bills are not new to this House, as I indicated before, and they have been regularly found to be procedurally acceptable where they have conformed to this theme of relevancy in their long title, as laid out in Beauchesne. Rulings by Speakers of the Ontario Legislature—and this is the place I believe you need to look for the issue of precedence—as well as the federal House, by the way, to which my honourable colleague referred, have supported consistently the practice of using one bill to demand one decision by members of this House on a number of quite different issues, although related.

You yourself, Speaker, upheld this test of the form of a bill in your ruling of December 2, 1999, and that was with respect to Bill 23. Clearly, you indicated some concern in terms of allowing the appropriate time for debate, and we will have that in this House. My colleagues refer to the need to have their time to express their opposition to or support of different parts of the bill, and they will have that in this House. On that occasion you noted, and I would like to quote your ruling, "... there have been numerous omnibus bills that have been found in order by previous Speakers, who considered them to be acceptably consistent with parliamentary practice."

The scope of the legislation before us, Bill 25, is more limited, and I say considerably more limited, than that of previous omnibus bills introduced by this government and the former NDP government. The NDP's Bill 175, as I'm sure my colleague will recall, Bills 26, 152 and 25 of the past Parliament, were all omnibus bills of considerably greater scope than the bill before us today and they were deemed procedurally acceptable in this House.

Points of order raised when the NDP's Bill 175 was called for second reading expressed doubt whether the contents of that bill demonstrated a theme of relevancy. It was noted that the matters covered by that bill ranged from allowing individuals to pay driver's licences, permits and plates by credit card to banning the use of leg traps in the wild fur industry. Speaker Warner found Bill 175 to be in order and it was eventually passed into law.

Speaker, the bill before us today is considerably more limited in scope and diversity than was Bill 175, and that dealt with 139 statutes in 14 different ministries. The bill in question today deals with a single ministry, and its components all derive from the same municipal restructuring project, the same theme of relevancy.

The precedents are clear: Bills are in order as long as there is the theme of relevancy among the contents of the bill, and I submit to you on behalf of our government that in this case the umbrella of the long title demonstrates the coherence among the bill's contents. The contents of Bill 25, we believe, fall within the umbrella of its long title and we trust that you, as Speaker, will agree that this bill is in order. I thank you for the opportunity to make this submission.

**The Speaker:** I thank the chief government whip. I will recess for 15 minutes and come back with my ruling.

*The House recessed from 1545 to 1600.*

**The Speaker:** I want to thank the chief government whip, the House leader of the official opposition and the member for Hamilton West for their submissions on Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act.

Like you, I have carefully reviewed the bill and our precedents and practices as they relate to omnibus legislation. Omnibus bills have been the subject of procedural scrutiny in this country for almost three decades. In that time, members and Speakers alike have expressed grave concern over the use of this kind of legislation and I am mindful that there may come a time when we go too far. However, while members may have expressed what undoubtedly are legitimate grievances with regard to Bill 25, they do not make the bill procedurally unacceptable. As Speaker Lamoureux said in the House of Commons of Canada in 1971, the issue for the Speaker is whether there has been advanced a "legitimate procedural argument."

Therein lies my responsibility. I must ensure that the contents of the omnibus bill have a theme of relevancy subject to the umbrella which is raised by the long title of the bill. We in this House have had experience with a number of omnibus bills, many of which have caused a great deal of controversy. Several of those bills, I would

say, had a lesser thread of relevancy than the one we have here before us today.

How does one determine relevancy? According to Beauchesne, relevancy is determined as follows:

"... there should be a theme of relevancy among the contents of a bill. They must be relevant to and subject to the umbrella which is raised by the terminology of the long title of the bill."

On June 10, 1997, Speaker Stockwell noted that a bill cannot be saved by its title and that "a theme of relevancy is achieved when all parts of the bill are linked in a tangible way."

I concur with Speaker Stockwell's more restrictive definition of relevancy, and it is that which I applied to my consideration of Bill 25. This bill creates five new statutes and amends several others. It is long and, I agree with some members, there may be aspects of it which may cause serious concern. However, while it covers several different geographical areas of the province, it maintains throughout the consistent theme of municipal restructuring. My reading of the bill found no unrelated subjects.

I do not find that the parts of the bill are so different as to have no connection with each other and therefore cannot find the bill out of order.

I want to address the comments made by the House leader for the official opposition relating to his request for direction from the Speaker that the House leaders meet to deal with this issue. I must say it requires no direction from the Speaker for the House leaders to come together and to make any arrangements among them on how the business of the House is to be conducted. This has happened numerous times in the past, and either as a result of unanimous consent of the House or the stated agreement of the House leaders, Speakers have allowed matters to be conducted in accordance with those agreements. On the issue specifically of omnibus bill legislation, Speaker Sauvé perhaps said it best when in 1982 she stated, "It may be that the House should accept rules or guidelines as to the form and content of omnibus bills, but in that case the House, and not the Speaker, must make those rules."

As I say, that option always lies open to the House leaders. Obviously, I would be more than happy to offer any facilities and resources of my office for any meetings that you may initiate in this regard.

I want to thank all of the members for their participation in the point of order.

Point of order, the member for Timmins-St James.

## RENVOI DE QUESTIONS REFERRAL OF QUESTION

**M. Gilles Bisson (Timmins-Baie James) :** Timmins-James Bay, monsieur le Président. St James, c'est de l'autre bord de la province. C'est correct.

J'ai un point et je ne veux pas prendre trop de temps, mais je veux le faire. C'est assez important pour nous dans l'opposition.



À une couple d'occasions, notre parti, le caucus néo-démocrate, a posé des questions à un ministre spécifique sur une certaine matière. Vous, quand on a posé ces questions, avez dit qu'on n'avait pas le droit de poser la question à un ministre, tel comme la semaine passée, quand on a posé au ministre du Travail une question sur l'amalgamation de la ville de Toronto, et vous-même avez référé cette question à un autre ministre de la Couronne.

Aujourd'hui dans la Chambre, j'ai posé une question directement au ministre délégué aux Affaires francophones, lui demandant quelle pourrait être sa position envers la décision du sujet dont on avait parlé sur l'hôpital Montfort. Le ministre a référé la question, et c'est le point d'ordre que je vous demande.

C'est mon opinion que j'ai posé à ce ministre une question faisant affaire directement avec lui et qu'il n'avait pas le droit de référer la question. Je vous demande des directives là-dessus.

**The Speaker (Hon Gary Carr):** To the point of order: As you know, you need to ask a question of the minister in his or her relevancy. The minister can still refer the questions, under our standing orders, to any other ministry, and that is what has happened today. So it is not a point of order, but I thank the member for his point.

## ORDERS OF THE DAY

### FEWER MUNICIPAL POLITICIANS ACT, 1999

#### LOI DE 1999 RÉDUISANT LE NOMBRE DE CONSEILLERS MUNICIPAUX

Mr Clement moved second reading of the following bill:

Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services / Projet de loi 25, Loi prévoyant la restructuration de quatre municipalités régionales et modifiant la Loi sur les municipalités et diverses autres lois en ce qui a trait aux restructurations municipales et aux services municipaux d'électricité.

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** At this time I seek to divide my time with the member for Carleton-Gloucester and the member for Haldimand-Norfolk-Brant. I'll deem silence to be acceptance.

I just had the opportunity to move second reading of Bill 25, which in its short title is the Fewer Municipal Politicians Act, an act that if passed by this Legislature will lead to more efficient and more accountable government in municipalities across Ontario.

Since we introduced this act last week, there has been a great deal of debate and a great deal of interest in this legislation, without a doubt. We on this side of the House welcome this because it is through this debate, through the continuing discussion at first and second and third readings of this bill, through encouraging further public input, that we can offer Ontarians the best way of achieving lower taxes and fewer politicians. That is our particular goal: lower taxes and fewer politicians.

When our government was first elected in 1995, we took the initiative and reduced our own numbers first. We cut the number of MPPs in this province from 130 down to 103 and we are proud to say that this move has saved taxpayers an estimated \$6 million per year.

Many municipalities have followed suit. There are now 586 municipalities in Ontario, down from 815, and 1,059 fewer politicians in this province. This reform has meant savings of more than \$220 million a year, and taxpayers have seen the benefits of more efficient services: less overlap, less duplication and red tape and more accountability.

Our government believes that more taxpayers deserve these benefits. That's one of the reasons we took action in August of this year and announced that we would help to put an end to the seemingly endless debate over local government reform in four regions of Ontario: Haldimand-Norfolk, Hamilton-Wentworth, Ottawa-Carleton and Sudbury. It had become frustrating for all involved. Taxpayers were telling their municipal councillors, "Stop talking and do something," and we agreed with them.

We put the brakes to the indecision and we appointed a special adviser for each region. They held numerous meetings, received more than 1,600 written submissions and reviewed existing proposals and research. They sought the best ways to achieve lower taxes, to achieve fewer politicians and simpler, more efficient and more accountable local government. Last month they gave me their recommendations, and I was pleased in turn to release them publicly and to present them to our caucus and to cabinet.

Our government promised at the outset that we would review the recommendations as a priority and that we would act quickly. We promised the residents of these areas that solutions would be in place for the November 2000 municipal elections, and that our legislation, if passed by this Legislature, would ensure that this happens.

I would like to take a few minutes and discuss each of the four regions in turn and their proposed new governance structure.

First, Haldimand-Norfolk: This region has been the subject of several governance studies. The most recent was in 1994, and that recommended that the number of councillors be reduced by about 50% and that some responsibilities be transferred from the region to the local municipalities. It was opposed by certain interests and no reform took place.

#### 1610

The structure we are proposing in our legislation takes this study into account, and a great deal more. We are

proposing that the regional municipality of Haldimand-Norfolk and the six local municipalities of Delhi, Dunnville, Haldimand, Nanticoke, Norfolk and Simcoe be replaced by two new municipalities: the town of Haldimand and the town of Norfolk. The new boundaries would closely follow the boundaries that divided Norfolk and Haldimand counties.

With respect to council sizes, the new town of Haldimand would have a seven-member council, including a directly elected mayor. The new town of Norfolk would have a nine-member council, including a directly elected mayor. The two municipalities would share the police services board and ownership of the Tom Howe landfill site. Together, they would have 47 fewer municipal politicians than they do now, while taxpayers could save upwards of \$2.5 million per year.

Second, I want to turn our attention to the regional municipality of Hamilton-Wentworth. This region has been reviewing its structure of municipal government since early 1995. Each and every effort, including a constituent assembly, including mediation, including proposed private legislation, has ended unsuccessfully. Our legislation, if passed by this Legislature, would end the uncertainty.

We propose that Hamilton-Wentworth and its six local municipalities—Ancaster, Dundas, Flamborough, Glanbrook, Hamilton and Stoney Creek—would be replaced by a single city, and a process would be put into place that would allow for further community discussions regarding the future of Flamborough.

The new city would have a 14-member council, including a directly elected mayor, and it would mean 45 fewer municipal politicians than there are now. Taxpayers could save \$35 million per year when you add in the savings from merging the administrations of the city of Hamilton and the regional municipality of Hamilton-Wentworth.

I would like now to move to the regional municipality of Ottawa-Carleton in my remarks.

**Interjection:** We wish you would move.

**Hon Mr Clement:** That's why I said "in my remarks."

This region too has a long history of municipal reform efforts. Various options have been presented over the years, and each has been unacceptable, unfortunately, to one group or another. Most recently, a citizens' panel was appointed in the fall of 1997 but was unfortunately disbanded the following spring, citing interference from municipalities.

We propose that this region and its 11 local municipalities—Cumberland, Goulbourn, Gloucester, Kanata, Nepean, Osgoode, Ottawa, Rideau, Rockcliffe Park, Vanier and West Carleton—be replaced by one city, and we'll put a process in place to allow for community discussions on the future of Torbolton and Fitzroy in the northwestern part of West Carleton.

The new city would have a 21-member council, including a directly elected mayor, and taxpayers could

save up to \$75 million per year. There would be 63 fewer municipal politicians than there are in place currently.

Fourth, I'd like to turn to the regional municipality of Sudbury. In the last several years, all restructuring efforts in the Sudbury region have ended without success. The only approved change was made in 1997, when the council agreed to the direct election of the regional chair.

It is now proposed that this region and its seven local municipalities—Capreol, Nickel Centre, Onaping Falls, Rayside-Balfour, Sudbury, Valley East and Walden—be replaced by one city. This new city would also take on nine surrounding geographic townships to the north and southeast, an area with a total population of about 1,200 people. There would be a 13-member council, with one mayor and two councillors for each of six wards. It would mean 35 fewer municipal politicians than there are now, and it's expected that the annual savings there could reach \$8.5 million per year.

All of these changes mean that the number of municipalities in these four areas would be reduced from 34 to five. The total number of politicians would be cut from 254 down to 64. That's 190 fewer municipal politicians, and taxpayers could save almost \$121 million per year.

We would be creating five new municipalities with larger, more solid cores that would better attract investment and create jobs for their communities. That would be a benefit not only for those individual communities but for all the people in Ontario.

Should this legislation pass, our goal is that each of the five municipalities would be established on January 1, 2001. In the meantime, we would put transition boards in place to ensure that the transition would be smooth. It's important to ensure that services not be interrupted and that savings to taxpayers be found as soon as humanly possible.

Serving on a transition board would be an important role and we would choose the members carefully. Choices would be based on their knowledge of municipal issues, their management skills and experience, and the unique contribution the individuals could make to setting up the new municipality.

I would like to emphasize that these boards wouldn't be involved in the day-to-day decisions that affect the residents of these areas. Indeed, decisions would continue to be made by the elected municipal officials. Rather, the role of the transition boards is more forward-looking than that.

The boards would ensure that municipal expenditures and assets are safeguarded during the period of change. They would approve the year 2000 budgets, and their responsibilities would include recommending how services should best be delivered, determining the organizational structure and hiring key staff.

With respect to existing staff, this legislation provides that if a person is an employee of a municipality on the day on which it is dissolved, they would automatically become an employee of the new municipality. That's good news for all the employees.



There has been a great deal of positive reaction from the municipalities with respect to these changes, but one area that has caused some concern is the tax structure. We recognize that there are obvious differences between urban and rural areas: in land use, in use of sewers or water or transit, and in population as well. So our government feels that it's only fair that each new municipality be allowed to set different tax rates for different areas. We feel that it's only fair that for a limited period of time the municipalities be allowed to set different tax rates that take into account the different financial circumstances, including the debts and the reserves of the old municipalities. Again, we're talking about fairness.

There is one other urban-versus-rural matter that I would like to briefly address and that is what is called community identity. While the boundary lines of these municipalities may change, they are only lines on a map. As so many communities across this province have already discovered, you don't need to have your own local government and your own local bureaucracy to maintain your own identity. Communities are defined by their history, by their spirit, by their community events, by the people who live in them. Boundaries do not reflect or affect that truism. While 35 municipalities would be reduced to five, while services would be better, politicians would be fewer and taxes would be lower, I think we can all be sure that communities within each municipality would retain their own special and unique identity throughout any municipal boundary change.

Should this legislation pass the Legislature, the next year will be an exciting one for each of these four regions. They will be moving forward in a direction that they have each long contemplated but not been able to act upon. But there is still more hard work to be done. Governance reform takes a lot of commitment and a lot of co-operation and diligence on the part of both elected officials and public servants. But many of Ontario's municipalities have already gone through it. Many municipalities and their taxpayers have already experienced the benefits. I look forward to the day when the taxpayers of Haldimand-Norfolk, Ottawa-Carleton, Hamilton-Wentworth and Sudbury can say they have realized these benefits too, just as the city of Toronto has.

**1620**

As you know, Metro Toronto and its six member municipalities successfully amalgamated just two short years ago. The new city has achieved a great many savings and has become more efficient and accountable to its taxpayers. Yet we believe still more has to be done in the city of Toronto. We believe taxpayers deserve even further gains. That's why this legislation, should it pass, will reduce the number of Toronto city councillors to 44.

You will recall that the government's original plan was that, beginning in 1998, Toronto would be governed by 44 councillors and a mayor, with new ward boundaries based on the 22 new federal ridings. As a transitional measure, the province established a 28-ward model with 56 councillors and a mayor. Another councillor was added through a by-election, bringing the total to 58 in-

cluding the mayor. Toronto council was given the power to reduce its councillors to a more manageable level, but it hasn't moved on that despite the obvious benefit to the taxpayers.

We believe that Toronto taxpayers deserve the benefit of a smaller, more accountable council, and we believe that a more efficient, lower-cost council should be in place for the November 2000 elections. That's why we are moving forward with fewer politicians in Toronto. The council itself has indicated that they would prefer reducing to 44 councillors rather than to 22, and we have reflected this preference in our legislation. We look forward to hearing Toronto's recommendations on how best to divide the 22 ridings into 44 wards.

I would like to say as well that while reform is going on across this province, while there has been such success in terms of municipalities streamlining their operations, achieving lower taxes and fewer politicians and being more accountable and efficient, we know that more has to be done for the sake of the people in this province. That's why this legislation, should it pass, will allow us to extend and improve current provisions that allow local government reform in counties, separated municipalities and northern municipalities as well. It's why we keep urging regions outside the greater Toronto area—Muskoka, Niagara, Oxford and Waterloo—to continue to look at reform, and it's why we have also asked the four regions inside the GTA—

*Interjection.*

**The Deputy Speaker (Mr Bert Johnson):** Member for Hamilton East, come to order.

**Hon Mr Clement:**—Durham, Halton, Peel and York, to continue to look for efficiencies. In this case, it makes sense for any reform to wait until after the Greater Toronto Services Board completes its review at the end of next year. Again—and really we can't say this enough—we want to give all the people of this province the benefit of lower taxes, fewer politicians, better services and more efficient and accountable government. That's what it's all about.

There are parts of this legislation that I would also like to speak briefly to if I could. We are asking that the Municipal Elections Act be amended with regard to municipal referendums. Currently the act allows municipalities to put a question on the ballot. The provisions in this bill would allow for terms and conditions to be set out by regulation.

We would also amend the Municipal Elections Act, 1996, so that French must be used in ballots and on other election materials related to the election of French-language school boards.

Also with this legislation we are honouring a request by Halton regional council to permit direct election of Halton's regional chair beginning with the November 2000 municipal elections. This will mean more accountable government in Halton region and will bring us one step closer to our goal of more accountable government across this province.

As you know, our government has always had very specific goals in terms of governance in the great province of Ontario. When we released the Common Sense Revolution five years ago, we stated that we wanted lower taxes, fewer politicians, and more efficient, effective and accountable government. We are still committed to less overlap, less waste and less duplication. We knew that we wanted clear lines of responsibility, less bureaucracy and better services for citizens. Our efforts, combined with the hard work and commitment of the municipal leaders and citizenry of this province, have taken us a long way down the road to better government for Ontarians.

There is still more work to be done. If passed, the Fewer Municipal Politicians Act will help us take those next steps, and I call upon the support of all members of this House to ensure that this happens on behalf of the taxpayers and on behalf of the hard-working Ontarians who are so important to the future of Ontario.

**Mr Brian Coburn (Carleton-Gloucester):** It is a pleasure for me to speak in favour of Bill 25. When this government was elected in 1995, it was quite clear that change had to occur in Ontario if we were going to meet the challenge of the future. It was, indeed, time for action. The economy was in the dumpster, we had high unemployment and a runaway deficit, and we were doing things the same way we had done them for the last 50 years. There was no innovation in the way we were doing some of our processes, whether it be planning, approvals in the construction industry or anything else that went on in our municipalities.

One of the requests of municipalities over the years had been, "Give us more authority so we can make decisions in our community, close to the residents and where we understand and identify with the residents of our community." For years and years, that plea was totally ignored by the province. In fact, it went the other way: A lot of authority at the municipal level was usurped by the province, and you had to send off and get approval for this, that and the other thing—time delays, bureaucracy and never-ending growth in red tape. It was this government that did listen and said, "Yes, we will make some change."

That, of course, resulted in the Who Does What panel and a lengthy discussion and debate with partners at the provincial level and the lower tier, on where the services are best delivered, where they can be held accountable and responsible to the people who are paying for the services.

That resulted in a shift of some services down to the lower tier. It resulted in restructurings that occurred across the province. The bill we are speaking to today follows along the lines of continual restructuring and reorganizing of the province, so that our residents, our taxpayers and our businesses will be better prepared to meet the challenges as we head into the next century.

Change is very closely associated with this government, whether it be in health care, education or in the restructuring. All those initiatives were taken so that we

can deal with the challenges facing us, where we have to do things smarter, more efficiently and more effectively, and be more accountable.

Ottawa-Carleton is the one I'm most familiar with, having been a mayor in one of the 12 governments there, and part of that debate and never-ending discussion for 18 years. I'd like to point out that since 1976, 29 studies or expensive consultations in one form or another resulted in no action.

**1630**

Look at the four regions where there has been ongoing discussion, debate and study: frustrating. It is frustrating for the people who live there, frustrating for the businesses trying to get things done, frustrating for the politicians, and they had created a lot of friction. It is an emotional debate when you're talking about your communities and how things should be organized to handle things in the future. It was time for action, no local decisions. There was ample opportunity for local decisions in all four regions, and the locally elected politicians could not come up with a local solution. So it was the commitment of this government that we would appoint special advisers to go in, consult in one final consultation, take into account all of the information-gathering that had gone on over the last 20 to 25 years in some of the areas, and then come forward with a recommendation on how best to reorganize these regions so taxpayers could take advantage of more efficient government and less costly bureaucracy.

There is ample evidence, in fact in abundance, that savings are achievable. As the minister had pointed out, since 1995 we have reduced the number of municipalities from 850 to 586; we have reduced the number of politicians by 1,059 in Ontario; and savings for taxpayers to date are in the order of \$220 million. That's no small change.

Once again it is decision time, so that even more Ontario taxpayers can enjoy savings, enjoy better accountability, enjoy better representation and more streamlined, efficient government. That certainly is what this bill is all about.

Just look at some of the goals and guidelines that the provincial government had set in place at the outset of restructuring:

Reducing government—fewer politicians, fewer municipalities—and not only that but reducing the entanglement between the different levels of municipalities so that it was in a more understandable format for the average taxpayer;

Enhancing accountability in the delivery and provision of services by having a more effective, more representative system of governance where politicians could be held accountable, where the bureaucrats could be held accountable;

Eliminating duplication and overlap, which indeed translates into best value for taxpayers: a review of services and the ability to provide those services as efficiently and effectively as possible;



Strengthening the ability to make local decisions, one of the underlying reasons why the entire process started. This was something that was being demanded by local municipalities, the ability to make the decisions in their communities that affected their residents, and the ability to make local decisions that would encourage investment and economic growth and job creation.

This act permits these four regions to address the provincial goals in a positive and thoughtful manner so that taxpayers will realize the savings and accountability they deserve and expect in a new governance model.

Just a couple of short years ago I had, as mayor in Ottawa-Carleton, promoted a three-city model and was involved with the other 10 mayors. But I had also promoted a model of governance that would end the debate and serve the residents of Ottawa-Carleton well, a governance model that would satisfy the goals laid down by the provincial government. Residents in my opinion deserve nothing less.

I want to compliment the special advisers—Mr Shortliffe in Ottawa, Mr O'Brien in Hamilton-Wentworth, Mr Farrow in Haldimand-Norfolk and Mr Thomas in Sudbury—for taking on the unenviable task of pulling together up to 25 years of debate and setting up a thorough consultation process on a very emotional issue. I compliment them for staying focused on the job at hand and drawing on the information received, and of course their wealth of experience, to formulate a model of governance that will serve our taxpayers well into the next century. I compliment you on doing a very difficult job very well.

Overall the new structures reduce the number of governments from 34 to five, a reduction in politicians from 254 to 64, a reduction of 190 politicians, for expected annual savings of about \$121 million.

In Ottawa-Carleton, once again, all 12 governments, the 11 municipalities and the region, despite the fact that they couldn't come to an agreement on a governance model, had agreed that a one-tier governance model was indeed the way to go. Unfortunately, the local solution always seemed to be just beyond their grasp.

This new model of governance in all four regions will enable local government to streamline bylaws, the approval process, delivery of service, so it is more effective, more responsive and more accountable for the taxpayers. Indeed, it does provide the councillors in each of those areas with more authority.

The new city of Ottawa will continue to be a designated area under the French Language Services Act, ensuring that the city receives services from the province in both languages. As in the past, municipalities have the authority to provide municipal services in French. I will continue to work to ensure that the status quo remains. It has been the practice in Ontario that duly elected municipal councillors are free to determine the expansion of these services.

On that particular issue, as a former mayor in Cumberland and as a member of that council, the service we provided to the francophone community was something

that had grown and developed over the years. I'm proud to tell you that the city of Cumberland, the city of Gloucester, the city of Vanier, the city of Ottawa and the regional municipality of Ottawa-Carleton did indeed have policies in place to be able to provide the services in both languages. That was a locally developed policy and it evolved over the years as to the level of service that was delivered to the residents. That ability is still there for the new city council to be able to make that decision on how, if and when they wish to expand those services, and to what degree.

All of us in this place and certainly in the province of Ontario are aware of the significant and monumental change around the world of an expanded global economy, of a world where the movement of information and data happens in a fraction of a second. Keeping that in mind, it is of utmost importance that we as the government of Ontario and as legislators continue to work to make sure that our municipalities, our residents, our communities and our businesses are well equipped to meet those challenges in the future, so that the market is not just something that's in the neighbourhood but that it is a global market that we can work towards and expand upon.

Our residents, our businesses and our institutions are depending on us to ensure that we have given them the tools to be well positioned to meet those challenges as we head into the next century.

**1640**

Our residents and our businesses expect value for their tax dollars. In the new model of governance there is an ability to establish benchmarks, best value and best business practices, so that we have some yardsticks with which our residents, our taxpayers and our business can measure newly established councils to see if in fact there is an improvement, that there is a constant improvement in the level of service, that there is an accountability there that can be measured by our taxpayers.

Transition boards will be put in place in each of the five areas. When this legislation is passed, each of the five new municipalities will be established on January 1, 2001. Transition boards will be put in place as soon as this legislation is passed early in the New Year so that the transition can run smoothly and there is no disruption in the level of service at the transition date between the old councils and the new city councils. The boards are important to ensure that services are not interrupted and that savings to taxpayers can be found as soon as possible.

There will be one transition board for both the towns of Haldimand and Norfolk, and single transition boards in each of Sudbury, Ottawa and Hamilton.

Serving on this board is indeed a very important role and, as the minister had indicated, those members will be chosen very carefully so that we have the expertise necessary to help make that transition process an outstanding success.

Some of the functions the board would be involved with would be approving the year 2000 budgets; amalgamating municipal electrical utilities and converting

them to business corporations, as municipalities must do by November 7, 2000; making decisions on municipal election administration matters, including the appointment of a returning officer, determining the organizational structure and hiring some of the key staff; making recommendations on the year 2001 budget, council committees and how services should best be delivered.

Transition boards have played an important role in the smooth transition of many of the amalgamations across this province, and they would be vital in helping these four regions set up their new municipalities in the best way possible.

One other item of concern when you go through transitions such as this is the employees, the people of each municipality who work for them. All of those individuals who have a job with a municipality on the day it is dissolved will automatically have a job with the new municipality. Bill 25 would give the transition boards the status of employer in the transition period. Existing collective agreements will be extended until new collective agreements are negotiated. Our goal is certainly stability in the workplace during the transition year.

Another area of great significance is that of taxation and area rating. Our government feels that in the implementation of this new governance structure it's only fair that each new municipality would be allowed to set different tax rates for different areas. For example, the cost of public transit in the new city of Ottawa could be paid for through the fare box and through special area rates in areas serviced by transit.

There is much more to do. As the minister indicated, there are numerous amalgamations and the potential for amalgamations across Ontario. The ones that have already been put in place are enjoying the benefits of those amalgamations, for they do save money, provide a more streamlined and effective model of governance and are more accountable to their taxpayers.

I believe that any of us in this place who have worked at the municipal level understand the importance of being able to have some control over your destiny at the municipal level. In the restructuring of these four regions, this act does just that. It provides more authority for the locally elected officials so that they can respond to the needs of their local residents and businesses.

Quite often, a couple of the major complaints as you went around the community were, "We're overgoverned," "There's too much red tape." You could hardly determine between one process and another, and once you crossed a boundary or a municipal line, there was another set of rules. Then you had to go and hire a consultant and a lawyer and an accountant and this battery of officials to try and keep things sorted out if you were trying to build homes or do any other business across municipal boundaries.

This is indeed a big step forward for these four regions, and it is now time to put our shoulders to the wheel and make sure that these restructured communities provide a much more efficient and accountable service

on behalf of their taxpayers. They deserve no less. As the minister stated, we will do everything we can to ensure that this clears the path for local officials to be able to make the decisions that affect their communities and that they can meet the challenges in the new millennium.

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** Bill 25, the Fewer Municipal Politicians Act, is a popular piece of legislation among my constituents. This bill gives them what they've wanted since the birth of regional government in 1974. It gives them their two original municipalities back.

This bill provides people with light at the end of the municipal restructuring tunnel, something that many believed would never happen. Citizens in Ottawa-Carleton, Hamilton-Wentworth, Sudbury and Haldimand-Norfolk have endured countless studies, petitions, discussions, referenda and municipal motions concerning restructuring and so far have not received much in the way of action. Now that has changed. Our government has initiated a process for restructuring in these areas, areas of the province where most people agreed that something needed to be done but nothing had been done.

Some 27 years ago I chaired focus groups for the Earl Berger study on regionalism in Haldimand-Norfolk. At that time, regional government was nothing more than a gleam in a bureaucrat's eye. Then, as now, people did not want regional government in our area. To this day, people in Norfolk and Haldimand want the return of their two former counties, and I agree with their views.

I think it is important to point out that the members opposite have been all over the map with respect to municipal restructuring. In Haldimand-Norfolk, Liberals have been rowing in two directions, at first opposing and then supporting regional government when it seemed advantageous to do so. The former Liberal MPP for Norfolk, Gord Miller, opposed regional government in the early days and in this Legislature. Recently, our government announced restructuring in Haldimand-Norfolk. Former Liberal MPP Miller, in a letter to a daily newspaper in my riding, declared that regional government should now not be restructured. Former MPP Miller's flip-flop position was also supported by his son Doug, the Liberal candidate in the recent June election.

Municipal restructuring was an important issue in my riding during that election. I have advocated scrapping regional government since being elected in 1995, in order to lower taxes, enhance accountability and reduce bureaucracy. However, my opponents in the 1999 election favoured a status quo approach. I was clear about my intention to fight for restructuring if re-elected and I believe that this year's election sent a clear message from the province's citizens, and certainly the citizens of Haldimand-Norfolk, to continue to streamline government.

The Liberals in this House have made their position clear, as many of them were here as members of the 36th Parliament and voted as a group against my private member's bill to restructure Haldimand-Norfolk. Very



simply, although returning to a two-county approach was what local people wanted, Liberals were against it.

I would like to go over some of the history of local government in our area and the creation of the region, an event many consider to have been an experiment gone wrong.

1650

In 1790 the county of Norfolk was enacted as part of the London district of Upper Canada. After 1820 the county of Norfolk became the Talbot district, and Simcoe was made the district town. The Baldwin Act of 1849, which abolished districts, caused the county to be called Norfolk once again. Up to 1850 the townships of Walpole and Rainham, both in Haldimand, formed part of the Talbot district. The balance of Haldimand belonged in the Niagara district. In 1850 the county of Haldimand was set aside for municipal and judicial purposes, and Cayuga was established the following year as the county town.

The former counties of Norfolk and Haldimand have always been good neighbours. Both survived and thrived over the years by cooperating against common adversaries and the hardship of earning a living from the land. The boundary between them was invisible and understood: on one side the clay of Haldimand; on the other, the sand of Norfolk.

In 1974 they were partners in a shotgun wedding enacting a union that was not self-sufficient from the start. The marriage was propped up through subsidies from the province in the form of free policing, the "interim solution" farm tax rebate where the region double-dipped into the farm tax rebate program, and generous water and sewer subsidies.

This regional municipality of Haldimand-Norfolk was created in 1974 under the assumption that the new Nanticoke Industrial Park would rapidly expand and bring hundreds of thousands of people to the area. Before the shotgun nuptials in 1974, residents of the two counties were consulted; 80% opposed the creation of a regional government.

The 1974 promises of economic and urban growth did not come true. The 1972 Richardson study on local government predicted that the population of Haldimand-Norfolk would grow to more than 320,000 by the end of this century, a mere two weeks hence. However, during the last 25 years, population growth has averaged only about 1% a year. The Haldimand-Norfolk region is 2,876 square kilometres, and just under 100,000 people live in the region. The regional municipality is now the second-largest employer in the region, ahead of the Nanticoke generating station and the Imperial Oil refinery, and only behind the Lake Erie Steel Co. In Haldimand-Norfolk, a system of government was built to service a rapidly expanding urban and industrial area, but in 1999 we still have a sparsely populated area of farmers and farm-related infrastructure.

As I mentioned, there have been 20 years of studies, petitions, municipal referenda and municipal motions calling for an alternative to the forced marriage of Nor-

folk and Haldimand counties, a marriage of convenience to share the tax revenue from the industrial baby that was dropped on Nanticoke's doorstep.

The creation of the region of Haldimand-Norfolk grew out of an experiment in regionalism designed to govern future growth areas. With the creation of the region came the laying of the foundation of another experiment known as the new town of Townsend. In theory, it was to become a focus of regional growth, a city the size of Kitchener-Waterloo. Townsend was designed and launched by a provincially funded agency. Today, however, Townsend remains a static community of no more than a modest subdivision of homes.

The Earl Berger study of 1972 recognized local opposition to the region, concluding: "There is strong opposition to regional government in all group samples in Haldimand and Norfolk.... There is strong support for increasing the powers of local government."

As I mentioned, I chaired focus groups for this study and received the input of local people at first hand. They didn't want regional government and believed it would increase their taxes.

Since the first days of the Haldimand-Norfolk region there have been problems. In April 1974, after only 12 days in existence, the new council gave themselves a pay raise behind closed doors. One newspaper of the day said that their decision was "indeed an unfortunate start to a new era—starting out with 'secret' meetings: hiding behind closed doors in fear of what might be a politically unpopular decision."

Six years into regionalism, during the 1980 municipal election, the township of Norfolk held a referendum asking its residents if they supported renegotiating the Haldimand-Norfolk regional act and returning all responsibilities to the area level of government. The vote was yes, 3,298; no, 469. The result: No action was taken.

Nine years later, again in the township of Norfolk, a motion was passed by council to allow the township of Norfolk to operate as an independent municipality within Ontario. The result: No action was taken.

Also in 1989, the town of Haldimand passed a motion to investigate the possibility of seceding from the region. No action was taken.

The 1989 Pennell report advised local people that if regional government lost its free policing and other subsidies, a new model of government should be investigated. Again no action was taken by the council of the day.

In 1994, the Norfolk Taxpayers Coalition submitted 9,600 signatures, including some regional and local politicians wishing to "secede from the region of Haldimand-Norfolk." The government of the day commissioned the 1994 Barnes report, which indicated that the number of councillors should be reduced and duplication of services eliminated. Again no action was taken.

As part of the 1994 municipal election, both the town of Simcoe and the city of Nanticoke held referenda; 60% and 75% respectively voted for an alternative to regional government. Again no action was taken on this decision.

The 1995 regional chair's report advocated moving to a single-tier government.

Last year the Haldimand-Norfolk region levied a 17.9% tax increase on residents, the largest tax increase of any region in Ontario. In response, well over 10,000 people signed their name to a Residents Against Tax Hikes petition calling for a tax freeze and the elimination of regional government. However, there was to action taken to either cut costs or restructure.

Also in 1998, the Simcoe Reformer Angus Reid poll found that 75% of Haldimand-Norfolk residents have a strong attachment to their local council. The corresponding figure for regional council was 20%. The same poll found that 64% do not believe that local government is fine and should be left alone.

In the fall of 1998 I introduced legislation titled An Act to eliminate regional government, end duplication and save taxpayers money. This bill passed second reading with unanimous support of my caucus colleagues. As I mentioned earlier, the Liberals voted against this legislation.

When restructuring was announced this August for the four Ontario regions, I set out to consolidate the advice I had received concerning local government. That advice has been very consistent: Scrap the region and bring back Norfolk and Haldimand.

I submitted a brief to Haldimand-Norfolk's special adviser Milt Farrow, entitled Creating Two Independent Counties in Norfolk and Haldimand, in which I made some recommendations. For example, I recommended to Mr Farrow that the six existing municipalities be merged to form two large, independent county structures.

These one-tier municipal governments would be responsible for providing all municipal services across each area. Mr Farrow's report and this government's legislation reflect this recommendation and the wishes of local people. A strong majority, about 60% of the submissions received during this consultation process, favoured a two-county approach.

Recreating Norfolk and Haldimand is what people want, and that is what this legislation in Bill 25 intends to do. Each newly created municipality will be large enough to capitalize on economies of scale which exist for the delivery of services but are accessible enough to give residents a similar feel to small-town government.

1700

Under my proposal, the important industrial and commercial tax base derived from the Nanticoke industrial park would have been divided to the benefit of both counties. This would have effectively split the lucrative Nanticoke industrial tax assessment between the two counties on the basis of revenue by population. Mr Farrow chose to recommend that the line dividing the two municipalities be drawn so that the entire Nanticoke industrial park be located in the new town of Haldimand, with a plan to pay for joint services on the basis of weighted assessment.

I suggested that municipally provided health and social services could be coordinated through a joint

special services board of elected councillors, or each county could simply outsource the service. Joint public-private agreements with neighbouring municipalities could be set up. There are areas of overlap and duplication in the services provided by the region, by area municipalities and by the province. Not surprisingly, the current two-tiered arrangement leads to both perceived and actual duplication in some responsibilities.

Responsibility and accountability should go hand in hand. A convoluted system of shared service jurisdiction conspires to make real accountability impractical. The key to successful municipal governance is to clearly outline responsibilities for services, allow those responsibilities for these services to govern their planning, their funding and their delivery, and hold them accountable for the results.

Some in Haldimand-Norfolk indicated their desire for a stand-alone management board to coordinate the services that may be shared between the proposed municipalities. I strongly recommended to Mr Farrow that no management board be established, as the creation of such an entity would, both in appearance and later in practice, serve as a second level of government—the exact structural problem that led to the inefficiency of regionalism in the first place.

The transition to the two new counties will be intensive and must be free of undue influence. The transition year, next year, will be very important to decisions that shape the two municipalities. Above all, the transition must be fair and equitable and protect taxpayers.

My recommendations were based on the advice of local residents and on 27 years of experience in studying regional government. The birth of the region 25 years ago brought union without unity. Two self-contained county or district communities within the region have remained. To the untrained eye, the two counties have much in common and could appear to be homogeneous in geography and culture. However, the two counties still retain much of their former identity and loyalty. Sand remains sand; clay remains clay.

The legislation before the House today as it relates to Haldimand-Norfolk follows the wishes of residents. It will implement what is desired: a one-tier system of government, but in two separate and distinct municipalities. Local people feel that this is the best possible solution. This legislation gives citizens of Norfolk and Haldimand the restructuring news they've awaited for over 25 years. They will get Norfolk and Haldimand back.

If passed, the legislation will create two one-tier municipalities, Norfolk and Haldimand, on January 1, 2001. Norfolk's council is to be made up of eight councillors elected in seven wards and a mayor elected at large. Haldimand would also elect a mayor at large and have six ward councillors. Restructuring will reduce the number of municipal politicians from 63 to 16, not including school board trustees.

Special Adviser Farrow estimates that restructuring will save local property taxpayers a minimum of \$2.5 million a year. It's important to note that this savings



estimate does not include savings from new ways of doing business. Privatization and contracting out are just two measures which taxpayer groups have advocated. With sound management and good transition decisions, many believe that Norfolk and Haldimand can improve considerably on these savings projections.

In the 60 days that Special Adviser Farrow consulted with local people, the strong majority favoured the two-municipality approach. Mr Farrow listened and put forward a common sense recommendation for separating the two former counties. The legislation introduced by Minister Clement reflects Mr Farrow's report and, by extension, the wishes of local people. They told Mr Farrow what they wanted over the course of the two months, and government is now embarking to implement these reforms.

I am proud to speak in support of this legislation on behalf of my constituents. They've been waiting for it for a quarter of a century.

**The Acting Speaker (Mr Michael A. Brown):** Questions and comments?

**Mr John Gerretsen (Kingston and the Islands):** I found it very interesting listening to the member for Carleton-Gloucester earlier, when he was promoting this deal. I understand that he has been promoting the three-city model for the Ottawa area throughout, and now all of a sudden he has changed.

I would rather not get involved in the kind of name-calling, for example, that the last member got involved in where he said that so-and-so was in favour of this 10 years ago and now has changed his mind. First of all, I don't think there is anything wrong with people changing their minds. If nobody ever changed their mind, if everybody always came in with a set opinion about everything, then what are we doing here?

The one issue that in all of this restructuring has been totally lost sight of is that the government somehow thinks that by getting rid of a whole group of local politicians, many of whom serve for \$5,000 or \$10,000 per year, somehow we're doing something for representative government, that somehow we are enhancing representative government and that we're giving greater accountability to these smaller councils.

I've spoken about this on many occasions in this House. I think the fact that on the smaller councils in the rural municipalities a person is able to talk to their councillor down the concession line, or two lot lines over or what have you, about a local problem, and to somebody who can actually do something about a problem, is something that has really enhanced local government in this province for the last 150 years. All this mega-legislation, whether you favour part of the restructuring or not—I favour some restructuring—is just out to do one thing, and that is to get rid of as many politicians as possible so that, in the government's words, there can be "greater accountability." Well, if they want to take it to the extreme, why don't they just get rid of all government and impose dictatorships? Then you'd have greater accountability as far as they are concerned. It is not right to do it this way.

**Mr David Christopherson (Hamilton West):** A couple of thoughts, having listened to the government members do their leadoff—first just a brief comment to my colleague across the way from Haldimand-Norfolk-Brant. Like the member for Kingston and the Islands, I would suggest that staying away from personalities and personal attacks is not only something he ought to avoid just from a professional standpoint, but people who live in glass houses—if you want to play that game, there are headlines such as "Norfolk Mayor Blasts Area MPP," and that looks like a reasonable picture of you, with your name underneath. So I don't know that you really want to go walking down that road. But far be it for me to tell you what to do.

Let me also say to the minister that his comments—this whole business of accountability, and he's going to improve democracy—are so galling, absolutely galling in the face of a mammoth bill like this that in every likelihood is going to be rammed through this House in a matter of a few days: 167 pages affecting hundreds of thousands of people, and not one minute of committee hearings—never mind public hearings—to do the work that we do at committee, which is to go through these bills and make sure they're as good as they can be and to try to avoid major mistakes, like your Planning Act, where you had to bring in six subsequent bills to fix it, or when you rammed through the WCB changes and did a lot of damage to volunteer firefighters. It was only because we gave unanimous consent that you got that fixed. We're going to see more problems here. Don't talk to us about accountability. You're the ones who don't understand democracy.

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**Mr Ernie Parsons (Prince Edward-Hastings):** We're seeing yet another attack on democracy in this province. I think this government's vision of democracy is similar to four wolves and a sheep voting on what to have for supper. There's democracy in action, but someone's going to lose.

It is the exact opposite of accountability that we're seeing. The accountability that exists now is when you have a locally elected person whom you may not know personally, but they're a neighbour. You know where they are, you're going to bump into them in the grocery store, you're going to see them in the driveway, and you can stop in and chat with them.

The fallacy that larger is more economical—I defy you to give me examples of where larger organizations are more efficient. Personal experience tells me that in many cases where I've been able to identify inefficiencies, it's because one of my neighbours or one of the taxpayers in the area came to me and said, "Do you know that this is going on?" and gave me the opportunity to rectify it. The taxpayer needs to talk to people who have the ability to make the change, and they will lose that, because with the larger government the decisions that have to be made will still be made, but they will be made by bureaucrats. I don't mean that as a derogatory term, but they will be made by bureaucrats.

When they are made by politicians, the taxpayers have the option every three years to say, "No, I don't agree with those decisions." That's lost when there's less democracy. That means an unaccountable individual will be making the decisions, and perhaps not making wrong decisions intentionally, but will not have the day-to-day contact. All of us know from electioneering that going door to door is a wonderful mechanism to find out what your community wants and what your community needs. I haven't seen a lot of bureaucrats knocking on doors around here trying to find out what's wanted. This is a retrograde step that is just one more layer of democracy being peeled off what is a wonderful province we have.

**Mr Gilles Bisson (Timmins-James Bay):** As the critic for the NDP on municipal affairs, I thought it was interesting to listen to the comments made by the Minister of Municipal Affairs, who stands in this House and says, my Lord, that he wants to pass this bill because it's going to increase accountability and—the word he used—democracy within local governments and within Ontario.

If you read this bill, it doesn't go anywhere near increasing the democratic process for local communities. Quite aside from the issue that, basically, freedom of information act requests are out the door by way of abolition through this bill when it comes to requests within the municipalities, are the powers that the Minister of Municipal Affairs is going to have, once this bill is passed, to do virtually anything he wants when it comes to changing any law necessary to allow this restructuring to take place. We know, as the member from Hamilton mentioned earlier, that when the government passed bills in this House last session, they so bungled municipal affairs bills such as the Planning Act that they had to come in with six other pieces of legislation afterwards to fix the bungling mess they created in the first place.

The government has a unique way of doing that. They say, "Well, we don't need the Legislature any more." No, don't be bothered with democratic debate and democratic process about how you change laws in this province. It's only worked in the British parliamentary system for the last 300 or 400 years. This government is going to, by way of this law, give the Minister of Municipal Affairs the power to change other laws without ever having to come to the Legislature. We're not talking about changing regulations; we're talking about changing laws. Those are far-sweeping powers the minister is taking and it certainly has absolutely nothing to do with increasing democratic control on the part of municipalities.

The government is wrong in this bill. It's flawed, and they should wake up and smell the coffee and withdraw this bill in its present form and any other form after.

**The Acting Speaker:** Response?

**Mr Coburn:** I'd just like to point out to all members of the House that the debate, discussion and consultation on this have gone on for over two decades in many of the areas. The special advisers were appointed, and everybody who wanted to had ample opportunity to comment.

For example, in Hamilton, the mayor of each municipality, all MPPs, the regional chair, three days of public meetings, 247 submissions. In Ottawa-Carleton, two full days of public sessions in Ottawa, two half-day sessions for rural residents; all 11 mayors, including the regional chair, spoke to the adviser; all municipal councils, all regional councils, some CAOs, 12 financial officers and treasurers, 1,026 written submissions, 89 phone calls. In Sudbury, four days of public meetings, 76 submissions; Haldimand-Norfolk: met with every councillor at least once, 330 people attended meetings in the six municipalities; major industries, including industrial-commercial, agricultural, ratepayer groups, met with the chiefs of the Six Nations Indian reserve, the Mississaugas of the New Credit Indian reserve—340 submissions. We've consulted and consulted. The public has said in each of these areas: "Enough already, it's got to end. Let's get a model of governance so that we can move forward and manage the corporations in a way that will address the challenges facing us in the new millennium."

For those in the House who had been municipal politicians, one of the biggest complaints you've heard as municipal politicians was not being able to make decisions in your own community that affected your own people. This bill does that. You've got more authority, more responsibility to make those decisions, and that is one of the major attractions of this bill.

**The Acting Speaker:** Further debate?

**Mr Mike Colle (Eglinton-Lawrence):** I want to express my disappointment with the Speaker's ruling that he wouldn't allow the splitting of this bill.

This bill affects the lives of over 3.5 million Ontarians. You've got everything in here, some of the biggest cities in this province—Ottawa, Toronto, Hamilton, Sudbury. You're also changing the structure of regional government in Halton, you're changing the wording on referendums, that kind of legislation.

This legislation essentially covers the lives of many ordinary Ontarians and they're never going to have a chance to speak to it. As you know, this minister is refusing to have committee hearings or even public hearings because they are afraid to take this out to the public. We've challenged them to have them in public. I think we should have a hearing in Dundas; we should have a hearing in Cumberland. I want to take this legislation—and let's hear from the people in Dundas and Cumberland what they think about this piece of legislation.

This is the minister who talks about accountability. If that isn't an oxymoron as it relates to Bill 25. This bill has the most heinous clause probably ever put in a piece of legislation. I call it the end-justifies-the-means clause, where a minister of this government, behind closed doors, in secret, could amend or change any law of this province without any member of the Legislature, any member of the public having a say in that. That is abhorrent, it is undemocratic, it is dictatorial and it is not right. Even though you may agree—some people may agree with the changing of structures of local govern-



ment, and that's your prerogative. I don't challenge you on your disagreement. But I am asking the people of Ontario to say, "When this bill is passed, you are going to give a minister of the crown the right to change any piece of legislation behind closed doors," and there it is; in section after section they repeat it: "providing for consequential amendments to any act that, in the opinion of the Lieutenant Governor in Council, are necessary for the effective implementation of this act."

They can change any law by regulation. They don't have to come here and they don't have to go to the city councils. The minister, when confronted with this, said, "Well, I know it's quite a bit of power to get, but I'm only going to have it for a temporary period of time, then I'll give it back to you." You think, "Trust me with the dictatorial powers." We've heard that before. If this is about accountability, why would they have this anti-democratic, end-justifies-the-means clause throughout this bill, time and time again? Because, like the property tax assessment bills, they know there are going to be a lot of mistakes in this bill, and they want to cover up the mistakes through regulatory changes behind closed doors. They're going to rush this thing through with no public hearings or committee meetings, so you can bet your bottom dollar there will be many mistakes in Bill 25.

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This doesn't just affect politicians and bureaucrats; it affects real people living in all these communities. They're going to be affected by fire services, garbage pickup, health services and the quality of their roads, so it's important to get this right. Why not have, as I said, one day of hearings in each of the communities, just to make sure we get this thing right? As you know, with the property tax assessment bill they've had to bring in eight bills, and another one is coming, because they fouled up the property tax system so badly in this province.

Bill 25 is about municipal restructuring, eliminating politicians and wiping small towns and cities off the map. We know that. Basically, this government believes that small government is obsolete and that small government is disposable. We know that.

The impact on communities across Ontario, from Cumberland to Nepean, from Ancaster to Dundas to Delhi, will be permanent. This is not a temporary measure. These changes will be in effect for the next 25 to 50 years, if not longer. The communities affected by Bill 25, the omnibus, megacity bill, all have unique local identities, history and traditions. No doubt some of these local traditions and uniqueness will live on but many time-honoured, homemade ways of doing things will disappear forever.

I know the minister says these cities and towns are just lines on a map. But I think they're more than lines on a map. If you talk to my colleague from Prince Edward-Hastings, he'll tell you that towns like Picton are more than lines on a map. Belleville is more than lines on a map. These are real people with real hearts and souls,

whose families have been raised in these towns and cities. They are not just lines on a map.

No doubt, local identity, history and political culture mean little to the authors and supporters of this kind of legislation. Yet we know that if you don't take time to know and respect local history and the blood, sweat and tears that went into building these small but successful communities that have weathered everything from the ice storms and the Depression, you cannot expect our children and youth of the future to respect the traditions locally.

We all hear the mantra from the Harris government about the need to downsize for efficiency and prosperity. What we don't hear is anything about ordinary citizens and their right to be heard and to have access to their local elected officials.

Local government and decision-making is messy—we know that—and downright frustrating. Yet if you compare our representative system of local democracy with those in other countries or jurisdictions, you will see that our system, despite its faults and warts, is as good or better than most. I challenge you: Where is there a better system of local democracy in Canada than in Ontario as we had it until this government came along?

This piece of legislation is about establishing a dramatic change in the government of our province. It clearly paves the way for a new model of local government which is neither local nor democratic, which emphatically underlines this government's belief that bigger municipal government is better and small, local town or city governments have no place into the next millenium.

Many people now believe that this big, one-size-fits-all approach is the solution to all our problems. There's a competition: "My city is bigger than yours."

We've got a megacity here in Toronto, and we have megacity problems. Our debt is going through the roof. It's going to almost double in the next two to three years.

**Hon Janet Ecker (Minister of Education):** And whose fault is that, Mike?

**Mr Colle:** It's your fault, because your government downloaded \$250 million onto the property taxpayers of Toronto. You did that. Your government downloaded. That's the problem. In opposition, the Tories didn't support the elimination of small, local government. In opposition, the Tories used to sing a different tune.

I want to quote a member of the Legislature who spoke on a beautiful small town called Fergus, Ontario, in 1994. This is what this member said: "There is no cost to a municipality to maintain its name and identity. Why destroy our roots and pride. I disagree with restructuring because it believe that bigger is not better."

"Services always cost more in larger communities," he said. "The issue is to find out how to distribute services fairly and equally without duplicating services."

The person who said that bigger is not always better was Michael Harris when he was in opposition in 1994.

I'll also quote from another minister of this government in 1993, when he was in opposition. This is the Honourable Jim Wilson. He said:

"I've spent the last several months reviewing all the regional governments in Ontario, many of which were imposed by my party in the past, so believe me, I come to this with some experience, and the south Simcoe experience to date.

"There are no cost savings. Bigger is not better. The government cannot point to an area in this province, including south Simcoe, where amalgamating departments has resulted in savings to the ratepayer. It does not exist. In fact, history shows that smaller units are more efficient. I, to this day, cannot find anyone in Tottenham, Beeton, Alliston or Tecumseth township who liked restructuring."

This is what the Conservatives used to say in opposition, "Bigger is not better." Now we've got a government that says all across this province, "Bigger is better."

What is most disturbing about this bill is that they have thrown in six municipalities basically to be downsized democratically and to be amalgamated. What they're going to do the next time, I'm sure, because they've been given the green light—next time it will be 12 municipalities in one bill that will be made bigger and better, according to this government.

What municipalities are next on the chopping block? What small towns and local communities are going to be put into this bigger is better model that this government's fallen in love with? What's next?

The interesting thing about this model too is that we hear the government preaching about this amalgamation, that this downsizing of elected officials is the key to efficiency, is the key to better, more accountable government, and you never hear them refer to the 905 area in this regard. I wonder why.

In the 905 area we have over 28 city local governments; we have over 214 elected officials. Not one of them has been downsized, not one bit of change has been undertaken by this government, yet they're saying, "We have to do this in Ottawa, in Hamilton, we have to do this in Toronto." In fact, in Toronto, they're saying they had to do it twice.

The minister's own city of Brampton has a population of 285,000; it has 17 councillors. The small city of Caledon has nine representatives. You never hear the minister talk about downsizing those municipalities in the 905 area. There's some further review, there's a further study, there's more delay, so therefore there's a double standard when it comes to the municipalities in the 905 area and the ones in the rest of the province.

They say, "We have to set up these provincial boundaries and copy the provincial boundaries." Why are the provincial boundaries not being copied for the 905 area? Why aren't the provincial boundaries being copied in Sudbury and Ottawa or Hamilton? They're not using the provincial boundaries there, but in Toronto they say that's the best way to do it, yet in this legislation, it doesn't put forth the provincial boundaries.

So there is this double standard between what they're doing in the 905 area, especially where they have many politicians and many local governments. In fact, in the

905 area, with this bill they've created another permanent political position, a very powerful position in the region of Halton where the chairman will now be directly elected. If they're going to be downsizing the 905 area, why would they be creating a permanently elected regional chairman in Halton?

This is supposed to be about downsizing. They're upsizing. Why would you upsize in Halton and downsize everywhere else? Why do the little towns get wiped out, then Halton gets a directly elected regional chairman? That is a contradiction in this bill. It goes contrary to what they're saying, because they say they want to eliminate all these tiers while they have just reinforced the regional tier in Halton by having a permanently elected chairman of Halton, and that's in this bill. This bill is supposed to be about downsizing politicians and getting rid of layers of government, while they're reinforcing again that second tier in Halton. That is something I want the minister to explain.

Another thing I'm very concerned about is that this bill allows for the appointment of trusteeships in the four cities. That's what they are: They are trusteeships that essentially usurp the democratic power of the councils in Hamilton, Ottawa, Sudbury and Haldimand-Norfolk. In other words, folks, once this bill is passed, the people you elected as local officials and mayors basically have to obey appointed trustees who are hand-picked by this government behind closed doors. Those trustees will also be able to tell the local councillors how much they are going to get paid, and the local councillors have to agree to whatever money they need. I know that in Ottawa they are already asking for \$2 million to pay the trustees. So these unelected people are going to come into each town or city, and democracy and local government will basically be suspended. The elected officials will just be like bureaucrats who will be told what to do by appointed trustees in each of those cities.

1730

Some people say: "Anything to get the job done. If we have to suspend the councils, we'll do it." That's what this bill does. It puts in place a trusteeship where the people in those cities will no longer have their elected officials making the decisions. The budgets will be set by the trustees for this year and next year. That's what these unelected people will do. They'll set the budget, and they'll set the mill rate. In fact, Mr Speaker, I don't know if you're aware of it, but these trustees will be hiring the top civil servants in those cities, and those contracts will have to be abided by, by the local councils that get elected some time in the future. These trustees in each of these cities have an extreme amount of power.

An interesting thing in this bill too is that if these trustees sit around a table and pass a resolution, that resolution supersedes local bylaws. I know that people are going to say: "Big deal. It's city government. It's local politicians. Who cares?" I just hope there are some Ontarians out there who, even though they may agree with some of the restructuring—as I said, I can understand why some people in Hamilton—I know the region-



al chairman of Hamilton, Mr Cooke, is here. He has fought long and hard for a vision of government in Hamilton that he believes in, and he has the right to espouse that view. But even beyond those who believe in that type of government, we have to look at how this is done.

Is it right to have this dictatorial clause in this bill which allows the amendment of any act behind closed doors? Is it right to suspend democracy in those four cities and have these appointed members of this transition team, this trusteeship, make decisions that elected officials were elected to make? I ask people out there whether they accept this approach of suspending normal democracy. For what? The end justifies the means? Is it a national emergency? Will the province fall apart if we don't pass this bill?

As you know, a similar bill was passed in Toronto in 1997. It wasn't passed until the new year, and we still had the elections. But they're telling us, "You have to pass it by January 1 because of the elections." That's a red herring. We passed the Toronto megacity bill in April 1997 and still had elections, and things went on as usual. There is an artificial January deadline here because this government is afraid of public hearings. It is afraid for the public to see what is in this bill.

I think that many honest Ontarians, when they see this suspension of local democratic process, will begin to wonder whether they need to go to this arbitrary means to restructure local government. That's why I ask, why this extreme use of arbitrary means for local restructuring? You can do it without arbitrary means. These means are not necessary. If these powers are given to this government in this bill, they will introduce this type of clause, this type of approach, all the way down the road. Now, it's just municipal governments. I wonder what other legislation will have this kind of arbitrary, dictatorial power. I think it sets a horrendous precedent that I hope Ontarians will start to be concerned about, because it could be your hospital, your community police department, your fire department that gets affected by these arbitrary means that you have no say over.

Another interesting thing which really scares a lot of local officials is the provision about the 75 unelected officials coming into a city or town or township. Basically, if 75 unelected people sign a petition, they could ask the government to bring in a restructuring commission and overrule anything the council has done. Any 75 people can do that. I think that again really smacks the face of local autonomy and the right of local officials to govern the town or city they were elected to govern. This government is basically saying: "We don't care what the local officials have done. We are going to allow for 75 people to sign a petition and they can bring in the provincial government and ask them to impose a solution."

This legislation, again and again, is about imposed solutions. It's about arbitrary measures. It's about excessive intervention by this provincial government into

municipal affairs. The contradiction is here. This is the same government that has been downloading like crazy. They are saying you have to be more independent as local municipalities, yet they keep interfering in the municipalities every time we turn around. This government is constantly intervening in the decisions, in the makeup of council, in every aspect of local government at every turn. Meanwhile, they're not giving them any money, yet they want to make all the decisions here at Queen's Park. What they should do, perhaps, is have one big megacity run out of Queen's Park, have maybe two or three councillors represent the whole province. Maybe that's the next step. That's the road they're going down.

You wonder what the rationale is here. If you keep on saying, "We've got to make things bigger and bigger and bigger," the question is, what about local say, local representation? What about local input? In most of these cities, you're now going to have to drive 30, 40, 50, 60, 100 kilometres to go to a council meeting. How many people will go to that council meeting? How many people will see their local mayor or their local councillor? They won't see them. Do you know who will see the local mayors and councillors? It will be the big shots.

That's what happening here in Toronto. The big lobbyists, the big lawyers, the high-rollers get to see the big councillors and the big mayors. It's difficult for the councillors to get out in the community because there are going to be so few of them and the area to cover, geographically alone, is a real challenge.

Again, this government believes, I think, that it's easier perhaps to control smaller councils, because they fear local councillors speaking out. We know that. They don't want people in Dundas saying something and people in East York saying something else. They want everybody singing from the same hymn book because it makes it a lot easier down here at central headquarters to rule this province. That's what they are doing here. They're basically making it easier for the bureaucrats.

I read Professor Peter Sancton, who is maybe one of the best experts on municipal restructuring, municipal consolidation. His conclusion is—

#### *Interjection.*

**Mr Colle:** This is Andrew Sancton—excuse me. Here's an interesting quote from Andrew Sancton of the University of Western Ontario:

"Given its lack of theoretical intellectual equipment, the Harris government apparently stumbled into the megacity solution. Once the policy was decided, serious debate was not possible. Government spokespersons from Premier Harris down to officials within the Ministry of Municipal Affairs could only repeat the mantra, 'megacity,' 'eliminate a layer of government,' 'reduced overlap and duplication,' and 'cut the number of politicians.' Such words were congruent with the vocabulary of the CSR. The fact that the policy itself violated its core idea, the need for less government, more efficient government and more responsive government, was by this stage immaterial."

In other words, this is supposed to be a government about small government, about less government. All of a sudden they've gone the direct opposite. They are creating megabureaucracies that will have so many bureaucrats making hundreds of thousands of dollars. As my friends from Prince Edward-Hastings and from Sudbury say, the big, highly paid bureaucrats won't be knocking on your doors. They won't be going down the street to your local fairs and community events. Those big-paid bureaucrats will not be accessible. That is going to be the change. Certainly you'll save some money by eliminating some of these councillors, but how much money will it cost to pay for these high-paid administrators and bureaucrats? That's who will be running these cities and towns. It won't be the ugly local councils.

#### 1740

We know how ugly local councils can be. They're ugly but they're effective. Some of them are not effective but at least they're trying. The small wardens, the mayors, they pitch in. But these bureaucrats—the Tories are going to now pay \$120,000. They won't be at your local fairs; they won't be there when the pothole has 10 inches of water in it; they won't be there when your kid's park equipment has fallen apart. Try to phone that bureaucrat at Queen's Park now. That's what it's going to be like when you try and phone a bureaucrat in these megacities. That is the problem.

I know the public at first blush says: "Great. Get rid of the politicians." We all know that's the first reaction. Everybody says, "Great." The second reactions is: "Who do I call? I can't fix the swing in my child's park." You try calling voice mail and see if voice mail will come over and fix the swing in the park. They won't do it.

I also want to mention that there are so many priorities in this province that need addressing. To the north of this city, in the 905 area, we have the planning process in virtual collapse, where local and regional plans are not being adhered to by the developers, and they're leap-frogging over that to the municipal board. We have delicate waterways, delicate rivers and streams that are being bulldozed by unbridled development. This government feels: "That's not a priority. Our priority is re-jigging municipal government." Why wouldn't the government put its priorities straight and get that planning process in place around the greater Toronto area to protect the Oak Ridges moraine, to protect against urban sprawl, to do something about urban transportation gridlock? That isn't a priority. A priority is doing something to make these megacities pop up everywhere. That's this government's priority. That doesn't solve one thing.

Your own members have said, "Bigger doesn't solve things." Just because you make a government bigger, it doesn't solve things. If that had been the case, the Soviet Union would have been the best-governed country in the world, because they loved bigness. They really had it on for things that were big: the big plans, the big centres. Big government was their byword. Now, this government says, "We're going to follow the Soviet model of big."

If you look at certain circumstances, where maybe the people of Sudbury or the people of Haldimand-Norfolk want a certain solution—and we're getting into a reasonable size—what worries me is the pattern that it's always the elimination of the small for the big. These sizes shouldn't be the only benchmark, the only litmus test for good government. But this government believes there's an axiom: "Big size, good government. Small size, bad government." That is really contradictory to all the traditions and history of this province. In fact, I would say that big government in some cases has been harmful to the local citizen getting his or her wants and needs met.

I would ask the government, if they're really into a deadline, why aren't they into a deadline about fixing the chaotic planning process in 905, where local and regional plans aren't worth the paper they're written on and local municipalities have to spend \$1 million to go to the OMB to protect a watershed? That's what it has come to. That's a priority. Why not go there and work to protect areas that are being impacted on by unbridled development?

A word of warning too: This government has proudly said, "We're doing this because we did it in Toronto; it worked so well in Toronto." I say, luckily in Toronto we've had a very effective mayor who has worked darn hard for two years, non-stop, making this thing work. He has made it work. But if you ask him if this government has helped him, you'll see that this government has done everything but help him. Don't think that just because you're a megacity, you're going to be able to do basically what you want to do, because this government will keep downloading on you. Even though Toronto has created a megacity, this government still downloaded \$250 million.

This government had to lend Toronto \$200 million and give them a grant of \$50 million to get them through the transition. That's why our party is saying: "Look at the Toronto experience. There should be transition money commitments in this bill." There isn't a cent committed. Hamilton is going to need millions of dollars for the transition. As Shortliffe said, Ottawa should have about \$35 million. Haldimand-Norfolk—everyone is going to need millions of dollars in transition funds because these transitions are extremely expensive.

You should be aware of the fact that even the mayor of Kingston, Mayor Gary Bennett, who has gone through a small transition, said that the process of transition takes longer than anyone can imagine and the costs are higher than anticipated. The process is a complex one. That's why the member for Sudbury and the member for Hamilton East and I are encouraging and imploring this government that as you ram this bill down the throats of members of this Legislature, you have to have some transition money as part of the package, because if the transition money isn't here you will be forcing local municipalities like Sudbury to go into debt, raise taxes or cut services to pay for the transition costs. The transition costs are real. You have to pay severance packages. It will be millions of dollars in severance packages.



The harmonization of services: I encourage the minister to put on the table of this Legislature a cost-benefit analysis of the transition and harmonization costs in Toronto. He won't do it because they haven't done it. But if you talk to the bureaucrats and the elected officials at the city of Toronto, they'll tell you the harmonization of services is expensive, because you have to bring in consultants. The consultants will love this bill. The consultants will be crawling all over Ottawa, all over Hamilton. They'll be saying: "Hire me. I'll show you how to harmonize your garbage department, your roads department." The consultants look upon this as their pension plan. I call Bill 25 the consultants' pension plan; that's what it is. When you pass this bill, the consultants will be happy that they're going to have all kinds of work for the next five years. Harmonizing services is expensive.

The contradiction is you have to let go elected officials and you have to let go bureaucrats to save money—because they're claiming it's going to save money. So when you're cutting them all, who's going to make the decisions on how to harmonize? What do you do? "Oh, we've got Andersen Consulting. They're going to come in here and tell us how to harmonize services in Sudbury." You harmonize services, so you have to pay these consulting firms millions of dollars to basically do what the fired bureaucrats, or the ones who have been severed, and the local politicians could have done for you, but they're not going to be around any more so you're going to have to hire consultants. As I said, I'm sure the consultants are all lined up right now. In fact, they've probably already made appointments to see the minister.

**Interjection:** Here comes the gravy train.

**Mr Colle:** Yes, they look upon it as the gravy train. So with Bill 25, consultants are smiling from ear to ear. Municipal consulting is a growth business in this province.

**Interjection:** It's only American consultants.

**Mr Colle:** Americans or whoever it is.

One of the things in this bill which is very peculiar—and we discussed this during the megacity bill—is variable tax rates. Either you want amalgamation or you don't. Here they're saying, "We want amalgamation, but we're going to have different tax rates and different service levels in these new unified cities." So the question is again, do you want amalgamation or don't you? Because amalgamation means one tax rate, one level of service across the municipality. This bill hedges its bets. I think there was a little pressure from Nepean, probably. They're saying, "Perhaps what we should have is a tax rate that's a little lower here, one that's higher there." Either it's a megacity, it's one city, or it isn't. But this bill is saying, "We are going to come together, yet we're going to have different tax rates."

If you have different tax rates and different levels of service, that's what city halls are about; that's what local government is about. You're doing all this work, all this preaching, the mantra about saving money and doing this for the right reasons, yet you're going to have two basic

contradictory facts in this bill: different service levels for different parts of the megacity, and tax rates that are different. How does this make sense? I just can't imagine how you're going to do it. Who is going to pay the higher taxes? I guess in Cumberland we're going to have the lower taxes, because we've got a member there; and in Nepean we're going to have to have a lower rate because a member is there.

1750

Remember that the minister decides that, because in this bill the minister, by regulation, can adjust anything. So if they want to lower that tax in Cumberland, the minister can do it, but will he do it in downtown Ottawa? Will he do it in Dundas? What will the tax rate be in Dundas? What will the tax rate be in Ancaster or Delhi? We don't know, because the minister will decide what the tax rate is going to be. By regulation, behind closed doors, the Minister of Municipal Affairs, through the trusteeship, will decide who can have their garbage picked up once or twice a week, what fire services—and fire services are an interesting thing.

They told us in Toronto, "We're going to have this amalgamation." Do you know that the fire services still haven't been harmonized in Toronto? We still have the six fire departments. They said, "If you amalgamate them, it's going to cost you \$3 million or \$4 million more and you're going to have to build about three more stations." So everybody said, "Oh yes, but if you put them all together, you have one chief." Yes, but you have one big chief and then you have five superchiefs. So don't think you're going to do this simply, that just because this bill is passed it's instant savings. There are many pitfalls.

That's why I think it's important for residents and members who represent areas in Haldimand-Norfolk or Hamilton or Ottawa to ask for those figures on the Toronto experience. Ask them how much money they had to give to bail Toronto out. Despite the bailout for Toronto, Toronto is facing a debt that is going to \$2.5 billion because they can't survive. All you have in these cities, remember, all this gives you, is property taxes. All these services—health services, fire services, police—are all on the backs of property taxpayers.

If you look at the Toronto track record, this government hasn't helped at all. They are going to download more responsibility on these cities and then they're going to say: "You're big enough now. You can survive on your own. We don't have to help you any more." It gives them a great excuse to off-load, to download and to say: "Local government, it's your fault again. We helped you. You wouldn't do it." That's what they're going to do. That's what they told us in Toronto. It's basically walking away from accountability. It's saying that local government is disposable.

I know there are a few members who have sat on local government and I know that some of you who have know that there's give and take. There's a lot of input from local citizens, and that takes time and effort. It's some-

thing that we have to recognize as part of our tradition of parliamentary, legislative, representative democracy.

These big governments with very few councillors aren't the answer to all of our problems, but this government has this fixation—except for the 905, though; there big government, lots of government, lots of politicians. "Give them another regional chairman in Halton; 905, you can have government coming out of your ears; 905, it's OK, Jack," because in 905 they don't need fewer politicians, they need more politicians. We know that. So that is what is happening.

The other interesting thing is just the way these things are done. I guess the most galling thing for the people of Toronto was when on a Thursday the minister announced that by sundown Saturday the council of Toronto had better make up its mind whether it wanted 44 or 22 politicians. That was the minister's ultimatum. We know you can say, "The local councils don't count; the mayor doesn't count," but that is also an affront to the 2.3 million people of Toronto who elected them. To give the people of Toronto an ultimatum like that is disgraceful. Even though you may agree that a downsizing of council is something you should do, when on a Thursday afternoon you stand there and say, "By sundown Saturday, you better do this or else," this is no way to run a government. It is no way to treat the people of Toronto. This ultimatum-type politics does not help get people to understand how this government works and it certainly makes them wonder what the motives are. That is something that has to be on the record.

The other thing is that we must remember that we're seeing a real watershed, we're seeing a real change in government in this province. This bill marks, I think, in essence a pretty strong signal that rural municipalities are not to be taken as important parts of this government, because the rural municipalities are going to be swallowed up in these bigger cities and the urban centres will no doubt dominate. That's a very clear indication from this bill for those small rural areas, whether it be in the Hamilton area, in the Ottawa area, in all those small towns that had quaint little governments—cities, towns, townships. They are basically now being told, "You are not part of the future of this province."

It's too bad that we couldn't have had a government that would look at things in a more, let's say—

**Interjection:** Responsible.

**Mr Colle:** —responsible and accountable way and say: "Maybe let's try to keep small governments in one of the areas. Perhaps let's experiment with the Ottawa area and try to see if small governments work there. Let the rural municipalities flourish. Give them some support. Give the the small towns—the Ancasters, the Dundases, the Flamboroughs, the Kanatas of this world—a chance and see if they could grow into the millennium as the new centres of economic activity." That would be quite revolutionary for this government.

I was glad to see they at least didn't go to that mega-model in Haldimand-Norfolk. They split the megacity

into two there, thank God. At least that area wasn't mega-sized. There are only 100,000 people there.

So we certainly require public hearings: one day in Nanticoke, one day in Dundas. Please, just one day, we're saying, one morning in each one of those centres, and let's hear the local people come out and express to this Legislature the fact that they're not just lines on a map, as the minister said; that Fitzroy Harbour is not a line on a map. All these small communities have a history, have a soul.

I know they're going to say, "Well, this won't change that," but it does change it. Once you take away that city hall, that town hall, pretty soon other things disappear. The library's gone because now it's part of a mega-library, and they say: "You can't have a library here. You have to drive 20 kilometres to the library." So the library disappears. The community centre: "Well, we can't have this little one here. It doesn't meet the new mega-standards." So we on this side of the House would love to see this government hold hearings in the local areas where they're being hit with this.

There are going to be a lot of people who are going to support some of this. We know that. But I think the people who have questions should be heard. I'd like to hear the people up and down the Ottawa Valley talk about this bill, because they're going to get it next, up Pembroke way. I'd like to hear the people in Flamborough talk about this bill, what they think of it, and the commitment that Mike Harris made; he was very clear in the last election.

Let's go to the communities an hour, two hours, just to hear from people or have committee meetings on this bill, because this may not mean a lot to the big guys on Bay Street, but I'll tell you, all the small retailers, the small merchants, the small shopkeepers, the people that used to go to city hall and raise hell down at the local council now will have to drive or telephone or get on the Internet: "We'll give you a 1-800 number. Call city hall." That's not going to work. That isn't democracy. Democracy is accessibility; democracy is being able to confront your local politician and give him or her ideas and also let him know what's wrong. But as I said, this government is intent on saying, "We are now going to save you money by hiring consultants, bureaucrats, and the bureaucrats and consultants will decide the future of your community."

I really implore people to at least get more information on this bill. We don't have enough time because the government is dead set on ramming this thing through by the end of the week, and I don't know how people are going to be able to look at this. I just hope they realize that the other cities in Ontario are going to be faced with the same cookie-cutter approach. So it's not just the people in Sudbury who are asking questions. Maybe it'll be Prince Edward county next. Will they amalgamate Picton-Belleville-Deseronto? They'll probably make the big city of Deseronto. That's what's coming next, in the next mega-bill. Once you set this pattern of one big bill,



hen it's bigger bills and bigger bills, to the point you have nothing to say—

**The Acting Speaker:** Thank you.

**Mr Colle:** —just the bureaucrats and the lobbyists—

**The Acting Speaker:** It being 6 of the clock, this House stands adjourned until 6:45.

*The House adjourned at 1800.*

*Evening meeting reported in volume B.*

## ERRATA

No.	Page	Column	Line(s)	Should read:
26A	1301	2	52	<b>Hon Mrs Marland:</b> John King.
26A	1301	2	57-58	<b>Hon Chris Stockwell (Minister of Labour):</b> Don King? He spent all of his life in court.
26A	1302	1	4-5	<b>Hon Mrs Marland:</b> No, his name is John King. <b>Mr Martin:</b> Oh, John King. Not the promoter of boxing.

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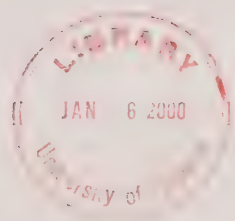




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L'honorable Gary Carr**Clerk**  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 13 December 1999

*The House met at 1845.*

### ORDERS OF THE DAY

#### PENSION BENEFITS STATUTE LAW AMENDMENT ACT, 1999

#### LOI DE 1999 MODIFIANT DES LOIS CONCERNANT LES RÉGIMES DE RETRAITE

Resuming the debate adjourned on December 9, 1999, on the motion for second reading of Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996 / *Projet de loi 27, Loi modifiant la Loi sur les régimes de retraite et la Loi de 1996 sur le régime de retraite des députés.*

**The Deputy Speaker (Mr Bert Johnson):** Further debate?

**Mr Doug Galt (Northumberland):** It's certainly a pleasure for me to rise and speak on Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996. This bill, in a nutshell, is about flexibility, increasing the flexibility with which people can use the dollars that are invested for them in a pension fund. It's really about using your own money as you see fit.

I've often commented in the House about what a compassionate government we have had since the election in 1995, compassionate in many ways—particularly in this bill, when there are hardships for people or a shortened lifetime expectancy, they're able to use their money here—and also concerned about social programs into the future. Some of the governments in the past wanted to spend all the dollars right at the time, give it away, any kind of giveaway program, but this government has indeed been very compassionate to our young people, limiting the kind of debt that is going to be on their shoulders, and ensuring that there would be some dollars available for people in the future who needed that kind of support in various social programs. This bill is really saying that Ontario is taking a lead role in pension reform here in Canada.

As we think in terms of pensions, when we're young we really don't worry too much about a pension, but as we grow a little older, get into our 50s and early 60s, pensions become very important to us. Consequently, as we look at our population right now, with the baby boomers coming along, that sort of bulge in the demo-

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 13 décembre 1999

graphics, they're demanding more things in pensions. They are concerned too as they approach retirement age that there is something for them and that there is some flexibility here. They are very demanding consumers. They are looking at their pensions and certainly they are one of the groups that have these kinds of expectations. They're demanding rules that make sense.

Probably when the original pension rules, regulations and legislation came in, it was very sound at the time: Keep that money and ensure that there was something there when people became 65. But changes have occurred since that time. Certainly the baby boomers, as they age, are expecting this kind of flexibility.

The first issue that the bill really addresses is this one of financial hardship. I've received several calls, particularly this past fall, from people who are either quite ill themselves and off work, unemployment has run out and they do not have long-term income protection, or from their spouses. They're saying: "There's money in my pension plan and I need it now. It's not going to do me any good when I'm 65. We need it now." If this bill is passed, people will be able to apply to the superintendent of financial services of Ontario and, according to the regulations that are set out with this bill, they'll be able to access some of those funds.

It's interesting also to note that Lillian Morgenthau, president of CARP—that's the Canadian Association of Retired Persons. They have been asking for this legislation since 1997. They feel that this kind of change is important. As I mentioned earlier, it really relates to compassion as we face various challenges in our life, challenges such as sickness or injury. Having some compassion so that they can address and get some of those funds is very important.

It also addresses shortened life expectancy. We live in a day when cancer, unfortunately, seems to be a rather common diagnosis. It probably relates to the fact that with modern-day medicine we're living an awful lot longer so we have more risk or more opportunity, being aged, to contract these kinds of diseases; also AIDS that has spread across the country—two diseases that are certainly terminal. When diseases such as those strike, why leave the funds there until you're age 65? You're never going to make it. You really need the funds today. The only benefit if they are left there, of course, is for the insurance company, and that's not the concern of the individual once they become quite ill. With this bill, if they meet the criteria, they would be entitled to draw those funds, whether it's from a locked-in retirement

account or a life income fund or a locked-in retirement income fund. It's only right that when these terminal illnesses come we could have those opportunities.

Also in this bill is the elimination of that requirement to purchase annuities. Ever since I was investing in RRSPs I knew that come age 69 I was going to have to buy an annuity. It meant that it would be totally consumed regardless of when I might end up passing on. Whatever is left in there, again, would go back to the insurance company.

The locked-in retirement income fund would be the arrangement that you would have after age 69. You could then draw up to a maximum amount that would be established for it, and if you didn't in a certain year draw that maximum amount, that could be carried forward for future years when it could be drawn. Also, it would be totally transferable prior to age 69. Whether it was in a locked-in retirement income fund or a life income fund in itself or a locked-in retirement account, it could move back and forth within those.

Again, CARP, the Canadian Association for Retired Persons, hopes that other provinces will follow Ontario's lead, and certainly the territories as well should be looking at this.

I think one of the interesting parts in this particular bill is the harmonization with the federal investment rules. By doing that, there are many advantages in the investment field, and new financial products would be able to be put on to the market that would be advantageous for us all. Some of this is already happening and has been adopted by some of the four western provinces.

These changes that we're bringing about with this bill have been the result of extensive consultation. Consultation has been a hallmark of this government, if you go back and look at the hours and days. I mentioned it last week and I could pull them out and read them off to you again if you want. During our term, the 36th Parliament, from 1995 to 1999, compared with the two previous governments, whether it was second reading or third reading, whether you measured it in hours or in days, whether it was at Queen's Park or on the road, in Niagara or in western or eastern Ontario, we put in more hours of consultation than the other governments ever dreamt of doing in the 1980s and in the early 1990s.

It was never heard of, in the history of this province, to go out and consult prior to bringing in a bill. We did that several times during the 36th Parliament. The car insurance bill was one good example, the right to farm for farmers was another example, and it goes on. Many times we did go out and consult. As I mentioned, it is a hallmark of this government.

As we harmonize these regulations and move along, it's going to reduce bureaucracy and reduce red tape. It's about improving flexibility; it's about allowing people to use their money as they see fit, not as the government says; and it's also about being compassionate with those who are having difficulties.

In my last two or three minutes here I want to make a few comments about the elimination of the MPPs gold-

plated pension plan that was in place when we took office. When we got rid of that, there was a saving for the taxpayers of Ontario of some \$5.5 million a year. This is similar to what Alberta did. I say to the Liberals smiling across the House, when will your federal cousins do the same thing? They make approximately 50% more than Ontario MPPs make, yet they keep their gold-plated pensions and their tax-free allowances. Something else that we eliminated was that tax-free allowance in our first term here.

We also recognize the 5% cut we took in the social contract—that was prior to my being here—but when we revamped our payment reform we took another 5% cut, some of the leadership this government has shown in Ontario.

As we look at this bill, there's now going to be the same kind of access to RRSPs for MPPs that other people in Ontario have. If we remove anything from our RRSP once we retire, of course we are going to pay tax on it the same as anyone else in the province would. There'll be absolutely no special treatment, and I think the most exciting part of all for the MPP—the change for them—is that there'll be no extra cost to taxpayers. We removed that kind of expense: The \$5.5 million they were paying for that gold-plated pension some time ago.

Regardless of where you look in this bill, the bottom line is all about increased flexibility and being able to use your money as you see fit.

In recognition of another member who will be speaking, I'll wind up and leave the member from Kitchener Centre the next eight or so minutes to fill the 20-minute block this party has.

#### *Interjections.*

#### **1900**

**Mr Wayne Wettlaufer (Kitchener Centre):** The Liberals are over there asking me to bash them in the next eight minutes, and I'm not going to do that tonight.

It gives me great pleasure to rise and speak on behalf of the Pension Benefits Statute Law Amendment Act, 1999. The purpose, as you're aware, is to amend locked-in pension fund access for those individuals who are seniors, who are facing a life expectancy of less than two years as a result of a critical illness, and also those individuals in a position of hardship. We're not discussing just any hardship here; we're talking about serious financial hardship.

Ontario's pension system has been designed to support those individuals in their retirement years. I know when we first began discussing this issue about two or three years ago, the one concern I had was, what do we do for those individuals who, because they are facing a financial hardship, cash in their locked-in pension fund and then face retirement in poverty? I was very concerned about that, but we have addressed that in this bill.

We're not too sure how the members opposite are going to vote on this matter. I know they should vote to support this bill, but I'm sure they're testing the political winds right now to determine which way—yes, that's right. The member from Ottawa Centre, is it—no, no,



you're not from Ottawa Centre. Where are you from? Come on, Mike, where are you from?

*Interjection.*

**Mr Wettlaufer:** From Manitoulin. He held up his finger to see which way the wind was blowing, and that's probably typical of the way they vote. They don't know how they're going to vote until they know the political wind direction.

But I do want to reassure them, as well as all the individuals viewing tonight, that we are not opening up the pension system to wholesale unlocking of funds. If we were to do that, it would jeopardize the entire Ontario pension system, and we have no intention of doing that. But those individuals who are facing serious financial hardship may apply to the superintendent of financial services of Ontario. He, in turn, will employ specific criteria which would be defined under regulation to determine whether or not they may qualify for some freeing up of their pensions.

The other key issue here is those individuals with a shortened life expectancy or capacity due to a critical illness. I have had over the course of the last five years perhaps only a half-dozen people who have come into my office and have been facing death six months, a year or two years away. They have come to me and said: "That's my money. Why can't I have some of that money now to enjoy what few days I have left?"

It was necessary to address that. I believe very strongly that these people should not have their money tied up in an annuity of some life insurance company or some faceless financial institution. They should be able to access those funds. The only ones who should object to this bill would be those life insurance companies or financial institutions, because the monies in those locked-in pension funds, the annuities, once the person dies, have been transferred to that financial institution as an asset of that financial institution. I want to make that very clear to the members opposite. To vote against this bill is a vote to ensure that those funds go to a life insurance company or to the financial institution. Is that what you want?

We have looked at this very broadly. We have said that upon reaching age 55 an individual who has a total of less than 40% of the year's maximum pensionable earnings in all his or her locked-in accounts may unlock the entire amount. Let's think about that for a second. Is that wrong? Those funds are taxed, but they're only 40% of his total pensionable earnings in one year. So it's not a significant amount and that person will not be penalized upon reaching normal retirement age, which is usually 65. That person will still have a substantial income. That's not wrong either.

The members opposite may find objection with this section, but I want you to understand that we are talking here about \$15,000, representing 40% of that individual's year's maximum pensionable earnings. Again, we're talking about an individual who has a fair, decent pension, so it shouldn't impact that individual too much upon reaching retirement age.

I ask you again, relating to the individual who, because of a critical illness, may die at an age earlier than you or I would normally die, do you want his funds or her funds to go to a life insurance company or a financial institution? If not, then you have to support this bill.

**The Deputy Speaker:** Comments or questions?

**Mr Rick Bartolucci (Sudbury):** I should let the government members know right off the bat that I'll be voting against this bill. I would like to be able to vote for the first part of this bill, because I honestly believe that it makes great sense to allow for, in times of undue hardship, the things that they're speaking about to happen. But the reality is, as this government does so famously, they rolled two acts into one. They rolled in the MPPs' pension bill into one so that it makes it impossible for people with a conscience to support a bill that would allow members with experience in this House, especially from the government side, an undue advantage that people would normally not have.

I would suggest to you that Mike Harris replaced his gold pension plan with a platinum pension plan. Mike Harris, Ernie Eves, Norm Sterling, Bob Runciman, you mention them, and I'll tell you that they are ensuring that their pockets are lined extremely well, that they do not have to follow the same rules as a normal person would have to follow, who has contributed to a plan for 10, 20, 30, 40 years.

I would suggest to you that the government members are heckling simply because they understand very clearly that when they say they removed the gold-plated pension plan, they replaced it with this plan giving unfair advantage to people who have served in this Legislature for a long period of time. I should tell you that the government members took very good care of themselves when they scrapped the plan.

*Interjections.*

**The Deputy Speaker:** Would the Minister of Education come to order, please

I wanted to interrupt your conversations to let you know that these types of outbursts are not allowed. They're your rules; I enforce them and, believe me, I'll do it.

Comments and questions?

**1910**

**Mr Gilles Bisson (Timmins-James Bay):** I always get a little bit worried when the government comes into the House with a bill and says that they're going to help me, because normally it means quite the opposite is going to happen.

I listened to the comments from the members across the way on the government side as they spoke to this bill, and they failed to mention a whole bunch of negative parts of the bill, one of which the member for Sudbury pointed out, which is that there happen to be provisions in this act that will give MPPs such as myself, because I'm a vested member of the old plan, the ability to withdraw money out of that pension plan after age 55, rules that don't exist for anybody else in Ontario.

They couched that by saying: "Don't worry, it's not just MPPs who are going to get this treatment. We're going to give it to other Ontarians under dire circumstances. Should they be ill and need to get access to the money or be in financial hardship, we're going to let them do it too." The reality is that the government is starting to recognize that it was really good political ammunition for them in the election of 1995 to run on the issue of pensions, but what they did to the pension plan of MPPs in this House was not to their liking over the longer term.

I'm of the view, quite frankly, that the type of pension plans we have in this place now are not the way we should be going. What we should be looking at are pension plans of the type that is defined. We should not look at it from the perspective of MPPs, but we in this House should be looking at how to advance ideas and legislation that deal with proper pension plans for all Ontarians, not just people who live here at Queen's Park six months of the year making legislation on behalf of the province. If the government were to come forward with a plan that looks at how we can create defined pension plans that will help all Ontarians, I think this debate would be a little bit saner than it's going to be tonight.

**Mr David Young (Willowdale):** I appreciate having an opportunity to respond, particularly in view of some of the comments that have been made over the last 20 or 30 minutes. It's important to put this in perspective and to ensure that those here today and those watching on their television sets understand that this legislation, if it passes, is not going to cause there to be any additional funds available by way of a pension for myself or for any of the other members in this Legislature as compared to the situation that they would have been in if the bill did not pass.

The members opposite stand and speak at length about how this is in some bizarre fashion a way to get pensions back on the table, a way for the gold-plated pension plan, as they describe it, to be re-established. I think their comments would be viewed with a great deal of credibility if they would stand one at a time, each and every one of them who would be eligible to benefit from the changes contemplated if this act was to pass, and I would look forward to seeing each and every one of them—we've mentioned some of the names already; Mr Conway is one, Mr Bradley is another, and on and on; there are some over in the NDP ranks as well—rise in this esteemed chamber to come up and say, "I will not take advantage of the terms of this legislation, regardless of whether it passes or not." Then, and only then, would they be in a position to criticize this proposed legislation. But until they come forward and say, "We will not benefit from this legislation if it passes," it is absolutely wrong—and the people of Ontario will understand this—for them to criticize it.

**The Deputy Speaker:** Comments and questions?

**Mr Michael Bryant (St Paul's):** I understand the other side's point is something to the effect that there are lots of good things in this legislation and the discretion is

left to the MPP to somehow act honourably. "Just take our word for it, MPPs, we'll act honourably." But we all know it's not just fairness and justice that we're trying to achieve in legislation such as this but the appearance of fairness and injustice.

The problem with this legislation is that regardless of what Mr Harris and Mr Eves and Mr Sterling are going to do—and you're going to hear from Mr Conway tonight, and those who have used his name as a supporter of this act will regret those words when you hear his case.

**Hon Janet Ecker (Minister of Education):** Who said that, Michael?

**Mr Bryant:** The honourable minister said, "Who said that?" The honourable minister was using his name in vain. That's who said that.

What I'm trying to get to is that there's obviously an appearance of unfairness here. Those who want to be cynical about elected officials have been given great fodder by this government thanks to their "less representation" act, otherwise known as the Fewer Politicians Act. Those who want to show cynicism towards elected officials can look to the further deterioration of MPPs' abilities to make a contribution to this House, and I mean both on the government side and this side. But now they can turn to a bill that blatantly gives opportunities to members of provincial Parliament that do not exist for the rest of the population. That is the height of the appearance of inequity, the height of the appearance of injustice and the height of hypocrisy.

**The Deputy Speaker:** The member for Northumberland has two minutes to respond.

**Mr Galt:** It's interesting to listen to some of the responses from the members of the opposition and what they're relating to the debate. What they're trying to do is zero in on the MPP RRSP, the donations being set aside for them. The real problem here is that they are all upset because they've lost their gold-plated pension that was originally here; it's gone. This is just another opportunity for them to try and come out with an appearance of unfairness, play the opposition, which I understand; they have to be a critic and they have to object.

But most of this bill is about helping other people. It's about helping those who have financial hardships, about those who have a shortened life expectancy. I think they should address those concerns. Those are the principal concerns in this particular bill. Certainly as we move through this, those are the people who are going to benefit—an opportunity to get some dollars out of their pension fund when they so desperately need it.

Show me in this bill where one extra cent will be paid to an MPP because of this. All it does is increase flexibility, which is what the bill is about, increasing flexibility, whether it be for Joe and Jane Citizen in the province of Ontario or whether it be an MPP. It's interesting where they're objecting from, and I think they're objecting from their own pockets. Their federal cousins in Ottawa could get rid of their gold-plated pensions, but they're the Liberals and they're in charge of that House. Here the Liberals are not in charge of the legislation, and



that's why the gold-plated pension plan is gone and so is the tax-free allowance. I, as one MPP, am real pleased to see that.

1920

**The Deputy Speaker:** Further debate?

**Mr Michael A. Brown (Algoma-Manitoulin):** I'm here this evening to say that I support An Act to amend the Pension Benefits Act. Unfortunately, it says, "and the MPPs Pension Act." This is an intentional hostage within the pension act.

The first part of the bill is an advancement, an improvement, something that should have happened long ago. I remember writing to Mr Eves on quite a number of occasions—the Minister of Finance; I'm sorry, Mr Speaker—and asking on behalf of quite a number of my constituents who had had problems with LIRAs over a period of time. I had one gentleman who was trying to complete his education. He was in his mid-40s and had a tiny amount of money, actually, locked into a retirement account. He obviously needed the money then. He needed to help feed his family while he was at school. It was, as I recall, a total of \$12,000. He could not possibly access that money. That money was not going to provide any kind of reasonable pension to him in the future. It was something that would help him finish his education. Unfortunately, I think he was forced to discontinue going to school because he couldn't access that money.

I had another gentleman who, as I recall, had \$4,500 in a locked-in retirement pension. This gentleman was 63 or 64 years old and wasn't going to be able to access it until he was 65, in his particular case. He needed the money. It wasn't going to help his standard of living any in the future, but it was going to solve some short-term problems he had.

And there are others, so I want to commend the government for finally doing something about this. Back when I was contacting the Ministry of Finance, I was always told I should talk to Terence Young, who was the parliamentary assistant. He was operating in a review. He's not back. I'm sure he's quite happy these days that this legislation is proceeding.

But that isn't the real question before us today. The real question before us today is quite simply, why do we have this one amendment to one act before us today? The MPPs Pension Act is being amended. One would have to ask, why do we need an amendment to the MPPs Pension Act?

**Mr Bill Murdoch (Bruce-Grey):** You're going to tell us.

**Mr Brown:** No. I don't know why, member from Bruce. I think the government should tell us why it is necessary that MPPs who have a LIRA should be treated differently than our constituents. That is what this act does. It means for MPPs, essentially, that if we want to call our LIRA an RRSP, we can immediately. There are great benefits to doing that, and members on the other side would know that. Anybody within the financial community would know that.

You can't have it both ways, I'm saying to the people across on the other side. Either everything should be an RRSP and we can trust the people of Ontario, all of them, to look after their own retirement needs through a registered retirement savings plan, if that's what you believe, or everybody should be under the same rules on a LIRA, a locked-in retirement account. To have two classes of Ontarians in the same pension scheme seems totally unusual, totally outrageous, totally beyond belief. I want somebody on the other side to stand up and tell me why we as MPPs need to be treated differently from everyone else in the province. It doesn't make sense to me. I haven't yet heard one of you on the other side tell us why we need to be in a different situation than everyone else in the province.

Back in 1995 we got rid of what were called the gold-plated pensions. I don't think there was a member of the Legislature who voted against that, if my recollection is correct. People who were vested got some rather sizeable buyouts. Some of those buyouts, for certain members who had been around this place for a long time, approached seven figures, maybe were beyond seven figures—sizeable chunks of dough. And many of those who received that rather large sum, which was due to them according to the Harris legislation, ended up sitting on the treasury benches—the people who benefited the most. We on this side would have to ask why, when we were told everything was to be in a locked-in retirement account—I'm one; I'm vested. I have some money in a locked-in retirement account. Unfortunately for my family, I wasn't one of the ones who got the big payout, but hey, I've got it.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** Jealous?

**Mr Brown:** Yes, I'm maybe a little jealous. But I'm not asking that mine be changed. I didn't ask in the first place if this was the formula that should be made. What I want to know is, quite simply, why do we have the MPPs' pension plan in front of us today? It's a simple question. Let's get a simple answer. Why? I cannot believe this.

The other gross unfairness about this situation when we're talking about pensions and savings in this province is that if you apply for child care in this province, if you apply for social assistance of any kind, under any circumstance, one of the things they look at is your RRSP. Are you going to get it if you have RRSPs? The answer is no. If you have a pension plan, which isn't a bad thing, or if you have a LIRA, you do. I can't figure out—both are assets; both are worth the same amount of money on any given day—why you would deny people child care or why you would deny a person social assistance on the basis of exactly the same thing, whether it be a pension plan, an RRSP or a LIRA? It's equal to the same amount of money. The accountants on the other side could maybe explain that one to me too. We have child cares and people with children in those child cares who aren't able to access the subsidy only on the basis of their assets, and in most cases that asset is the RRSP.

So while you're thinking about why MPPs have to be special people, above and beyond everyone else in this province, and when you're thinking about why welfare people, people who need child care and other social services are apparently special people but in a different class again, I ask the government, why are we doing this today? I understand the LIRA provisions. They're good. There needed to be some more flexibility for ordinary Ontarians, for all Ontarians, for that matter, to access their own money from LIRAs. I'm not sure that all of them have gone far enough, and maybe some have gone too far. I would suggest we probably need a committee to look at the exact impact this will have on individuals.

I just cannot believe that we would set MPPs, members of this Legislature, in a totally different class of people than everyone else. That's what this legislation does. I don't understand that. If somebody can explain why this is necessary today, go ahead. I'd love to hear it.

I should tell you, Mr Speaker, that my time is being shared with the member for Sarnia-Lambton, and she will proceed.

1930

**Ms Caroline Di Cocco (Sarnia-Lambton):** I stand to speak to Bill 27, which amends the Pension Benefits Act and the MPPs Pension Act. In my attempt to understand the different segments of this bill, I will proceed to try to express what I have learnt about it.

The Pension Benefits Act is of course a guide to the administration of private sector pension plans. It doesn't spell out the details of the entitlements and the contributions under these plans, but this bill provides a framework for the operation of private sector pension plans, covering issues such as employer-employee sharing of contributions, the assignment of benefits for early retirement, minimum terms of contributions, surpluses, and so on.

The Pension Benefits Act, besides making some small changes, includes some substantive amendments to enhance accessing of benefits. For instance, there's a provision that has been requested for some time, and it's an amendment that allows early payouts from pensions for serious terminal illnesses. The amendment to section 49 of the act addresses the payment of pension or deferred pension in such circumstances. There are provisions to allow paying out of the entire value of an individual share in a plan in case of financial hardship, and this is a good thing. There is another provision that allows spouses to waive their entitlements to pre-retirement death benefits in order to direct payments to other individuals. So there was a great deal of flexibility that was needed.

Now, there's another part of the amendment to the legislation that affects that pension buyback provision. It is somewhat ambiguous and a bit controversial, this little section. In the past, if an employee wished to buy back additional years of contributions to move up the date of entry into the pension fund, then the employer usually covered 50% of the cost. This practice of buyback has been changed to provide what they call discretionary

choice to the employer as to whether they want to participate in the buyback, but there is some confusion on this aspect of the bill as to whether or not employers are forced to fund the 50% of the buyback.

The reason I have a problem with this bill is not for the flexibility that's there for the people of this province, but I object to this bill because of the section on MPPs' pensions. This section provides, in my opinion, some special privileges to MPPs. I must add that I do not understand, like my colleague, why there are special provisions that apply only to MPPs and not to anyone else. This contradicts the rhetoric I have heard on the other side of the House. There have been comments from this government that politicians should not get any special provisions or get any special deals. We've heard them talk about a fewer politicians act, and we've heard as well that they are going to bring in legislation to remove that 30% tax-free income in a city councillor's income. I've heard often on that side of the House what I call a pejorative connotation with respect to politicians.

Some members elected in 1995 or later do not get a pension. We put money into RRSPs. But what this act does is to deal with some MPPs who were here before 1995. I quote from the compendium: "The bill would eliminate the requirement to comply the MPPs Pension Act with the Pension Benefits Act and remove the restrictions on the amount a member can withdraw from his or her account."

Most of the bill is making changes in the Pension Benefits Act for the people of this province, but the MPPs' pension plan part of the bill doesn't have to comply with the act that is being changed. I cannot agree with this part of the bill that treats the MPPs and their pension plans, for those people who were here prior to 1995—dealing with this pension in a manner significantly different from the way that other people in this province are being treated. So here we have a bill that's dealing with two different directions that are in contradiction to one another.

I heard an argument in committee that when MPPs lose an election they should have a placement in other areas. They should be rewarded, and of course the word "patronage" comes to mind, to allow them to have an income—this discussion was concerning Isabel Bassett's appointment—and that for some reason an appointment or special privilege is owing to those who spend time serving in politics.

I don't understand this notion. The argument about MPPs' pension provisions is that MPPs are at greater risk than most people by coming into this arena, and the nature of little or no job security. The members supposedly are in short-term jobs and the discussion is that MPPs should get some sort of special accommodation for their unique position. But I have to point out that there is a huge reality in corporate downsizing, and thousands of people have experienced a lot worse. Job security or being taken care of by big corporations is not the common trend any more.



I understand we live in a society where our aging population is greater in number than ever before. This causes us to look closely at pension entitlements and savings. We should be revamping outdated legislation and the improvement and reform of the Ontario Pension Benefits Act should be revisited on a regular basis. What I have a problem with is that the change to the pension rules for former MPPs is tucked into this bill in a way that it was hoped no one would notice.

I read some commentary from the National Post. This is from December 8 and it says, in discussion of this pension bill:

"Sixty-one MPPs received lump-sum payouts when the Tories scaled back the infamous 'gold-plated' MPPs pension plan during their first term in office. The payouts, which included \$860,000 to Mike Harris, the Premier, and more than \$1 million to each of five people including former Premier Bob Rae, were placed in locked-in retirement funds that made monthly payments once the owners reached 55 and were retired from the Legislature.

"The changes introduced ... alter the rules so that former politicians over 55 will be able to withdraw all or part of the money as long as they pay tax on it."

The question I have is, why? Is this a generous gift for MPPs just before Christmas?

I agree that there has to be flexibility for people facing shortened life expectancy due to critical illness to withdraw money from pension plans. I also agree that if there is proven financial hardship there should be flexibility to withdraw, but I do not agree with the special status provided to MPPs in this bill. It seems that this bill has this clause to treat some MPPs with special rules. So there is one legislative change for the general population and then there is another for some MPPs. I believe that we, as MPPs, are here to serve, not here to garner special treatment.

**Mr Bisson:** I particularly appreciated the comments from the member who just spoke. It was apparent to me that she has actually gone through the bill in some detail in trying to understand, in short, what the legislation does and trying to make up her mind, should she vote in favour, against, should she put forward amendments, what position she should take. I appreciate that she actually did a very good job in going through the legislation.

She points out that the government, as she said and I think rightfully so, is hiding behind the language they normally use to put in place legislation that's supposedly good for us, but as she went through the bill and looked at it, there were a number of pitfalls within the bill. We're all going to get a chance tonight to have a bit of a discussion about that, but it's fairly apparent that what's going on here is quite contrary to the saying, "What's good for the goose is good for the gander." We're finding out what's good for the goose is good for the goose, being the government, but not necessarily the gander, the rest of the public.

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It's fairly apparent when you read this bill that there are some real changes made to pension legislation as it applies to RRSP-type programs for members of the Legislative Assembly as compared to the rest of the province, and some of them are particularly troubling. I'll get an opportunity to speak on those a little later.

The other thing I thought was interesting is—and I'm sure she would want to comment on this—do you notice how Bill 27 is called An Act to amend the Pension Benefits Act and the MPPs Pension Act? It doesn't go on to the big, flowery explanations we get for all other kinds of legislation, such as Bill 25, which says An Act providing blah, blah. They give these great, big descriptions on their bills about what their acts are supposedly doing. The titles are very political. I would like to move a motion a little bit later in this bill and rename Bill 27 An Act to help Mike Harris, Ernie Eves and all other MPPs who are vested in the old pension plan in the right of Her Majesty, the Queen of all of this Commonwealth, because that's what this bill is going to do. It's going to set up two sets of rules, one for the MPPs who are vested and the other for the public.

**The Deputy Speaker:** The member's time is up. Comments and questions?

**Mr Bryant:** We've already heard today, and I just want to say for the record, that of course there are things in this bill that I, too, support. The early payout of pensions for catastrophic illness—who can quarrel with that?—the payout in case of financial hardship and other portions of this bill are portions that any member would favour. We've already heard from this side of the House, the opposition, to the effect that obviously we cannot support an act which treats MPPs in a favourable manner with respect to their remuneration from pension benefits, in a more beneficial way than the rest of the public. We've heard that already.

An obvious question might come about which is this: Why on earth couldn't we just amend the legislation so as to include the part that we all agree on and leave the legislation which is controversial to a separate bill? In the United States, for example, we all know that the President of the United States has always sought something called the line item veto, whereby he could go into a piece of legislation—pork barrel legislation, it's called—and say, "Here's the part of the legislation I don't like and I'm going to pull it out, because I'm not going to fall into this trap." That power, it turns out, has been struck down by the United States Supreme Court, so do you know what the President does? He does not get drawn into that trap. He vetoes legislation which has a poison pill, if you like, in it.

That's the position we have today. Are we going to sit in opposition and vote in favour of an act which contains provisions that are repugnant? No. Is the government going to support legislation as part of the litmus test for the Premier and the support for the Premier? Yes. That's what this debate is going to be about.

**The Deputy Speaker:** The member's time has expired. Comments and questions? The member for Sarnia-Lambton has two minutes to respond.

**Ms Di Cocco:** When you read over some of the aspects of this legislation, as I said, there are sections of it that are flexible and have been needed for a long time. People who have financial hardships and sometimes have a lot of money invested in retirement savings should be allowed to access that money so they don't lose their homes or have further undue financial hardships. People who have very serious illnesses of course would need flexibility to access monies if their lifespan has been shortened because of their illness.

On the other hand, I really find it offensive when I see that the real crux of this legislation has to do with this little clause that was almost like an afterthought, that hopefully nobody would notice, so that we can now go back prior to this to what they called "infamous gold-plated MPPs' pensions" that were discussed across the way and say, "Well, it's there, so we might as well access it, so let's now have another little part of the legislation that changes or contradicts the legislation for the rest of the population."

I heard from across the way—I don't remember which member—someone saying: "Help those who have worked in this Legislature for a long time." When you take a look at the payouts that were given and would only be able to access—they were locked in—

**The Deputy Speaker:** The member's time has expired. Further debate?

**Mr R. Gary Stewart (Peterborough):** I'm absolutely elated to speak to this bill. This bill is long overdue. I can remember sitting and talking to people in my own riding over the last four years. I had them crying in front of me because they were losing homes; they didn't have any dollars in their pockets because of the fact that they had lost their jobs for one reason or another, yet had dollars in pensions that were locked in. I have no problems supporting this bill whatsoever, following on the government's commitment in the 1998 budget, which said there would be pension reforms. I believe that a commitment made, as we've done for the last four and a half to five years, is a commitment kept. I have great pleasure in seeing that happen in this day and age, because we are a government that has done those things, and nobody has done them in the past.

I can again remember a particular person who was going to lose his house. He couldn't make the mortgage payments because of a locked-in pension. I also had a person who was in, who had no dollars to get their car fixed to be able to go out and look for a job. When you get to that 50 or 55 age bracket, it makes it more difficult to find those jobs. I believe that when financial hardship gets into life, it makes many more things that much harder.

Also you want to make sure, and this legislation is going to do that, where the specific criteria will be contained in regulation and certainly will be announced in the year. One of the things I'm a great believer in is that

you have the criteria set and the regulations in place so that people will make sure they don't try and circumvent the issue.

If you look at the financial hardship of people losing jobs, some of them may indeed, because of an age factor, want to start a business. Unfortunately, when you don't have a great deal of money in the bank, the banks are not overly supportive of loaning dollars to help you start that business or possibly keep that business going and saving it from bankruptcy. If these people have access to funds, there's a fair chance that the banks or the financial institutions may support or loan dollars to that particular person, again, to keep their businesses going or to start new businesses.

That's exactly what we want to do. We all know that small business is the engine of the economy in this province. It is now and will be in the future. If we can be of any assistance to help these people start businesses who have had difficulty with their jobs or have lost their job, I believe that we have to do that.

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There's another thing that concerns me very much. There are folks who have worked all their lives and have had, for some health reason or whatever, a shortened life expectancy and were in need of funds. I just can't visualize people not wanting to support that. I believe that somebody who has worked all their life in their final days or certainly in their last couple of years should be able to have the dignity and have the resources available to them to have the best quality of life they possibly can have. There again, I've had people in my office. I've been into a couple of the homes where people were having these kinds of difficulties, and we had no way around them. I can remember writing letter after letter to the Ministry of Finance, asking and in some cases begging that they look at this particular type of legislation to make sure we could have a better lifestyle for those people who may be having financial difficulties with a shortened life expectancy. It is the compassionate thing to do. Certainly it is the fair thing to do. If you work all your life, you should be able to have the best quality of life that you possibly can when it comes time to go beyond.

I support this legislation very much. I'm elated to be able to speak to it.

Another thing has been brought up a number of times. It's interesting when I listen to people in this House talking about the MPPs' pensions. First of all, the 61 MMPs are the only Ontarians who have ever been legislated out of their pension rights. There were 61 people involved, and I want to emphasize the fact that if this change happens, there is absolutely no cost to the taxpayer. I believe that in this particular case—and I don't have a conflict of interest. When I was elected in 1995, as a commitment of this government, the gold-plated pension plan, was gone, and I believe it should be. I listen to my friends across the way, the Liberals, and I listen to people who I fully know are double-dipping, and yet they have the audacity to stand up in this House and criticize



what we're doing. I listen to what their Liberal brothers and sisters are getting in Ottawa, and they have the audacity to stand up and criticize what we're doing in this particular case. I want to make sure that the taxpayers of this province know that there is absolutely no cost to them whatsoever.

I want to support this bill, but primarily for the first two reasons. The third reason does not benefit me in any way, and I want to make it perfectly clear that this type of legislation does not benefit any of us who were elected after 1995. It's interesting to note that just the other day somebody said to me, "Well, Stewart, if you don't run again, look at the great pension you're going to have." It's interesting to know, people, that we cancelled the gold-plated pension plan that had been in here for years and years, and there are people in this House who are benefiting tremendously well, and I have no problems with that, because many of them gave up careers to come here and be part of this institution.

One of the things that does give me a great deal of concern is when people stand up and try to criticize what we're doing. If we could all work together a little bit, co-operate in partnership, it's interesting what we could do to continue to make this the great province that it is.

I would also implore the opposition to support this legislation because there are many, many people out there who need these locked-in pensions to be released so they can have some dignity in the last couple of years of their life, and indeed those having hardship financially, either through their businesses or whatever. I would implore the opposition to support this bill. It's been a great pleasure to be able to speak to it.

**The Deputy Speaker:** You're splitting your time?

**Mr Stewart:** Yes.

**The Deputy Speaker:** The Chair recognizes the member for Barrie-Simcoe (Barrie-Simcoe-Bradford).

**Mr Stewart N. Tascona (Barrie-Simcoe-Bradford):** I'm pleased to join the debate on Bill 27, the Pension Benefits Statute Law Amendment Act, 1999. As my friend from Peterborough has indicated, these are long overdue and certainly have been requested by a number of my constituents. After extensive consultations, finally we are delivering on this problem.

Retirement savings reform is what we're talking about here, and more access for those in need is the fundamental theme. We're talking about people having financial hardship. Funds in locked-in retirement accounts would be available to individuals in cases of serious financial hardship. Individuals must apply to the superintendent of financial services of Ontario, and the application to withdraw funds due to serious financial hardship will be based on specific criteria to be contained in regulations announced in the new year. So this is something that's going to be happening in the new year, and it's good news for people who are in the unfortunate circumstances of financial need.

The other circumstance I want to comment on is individuals with shortened life expectancies. Individuals faced with shortened life expectancies due to critical

illness or disability would be entitled to withdraw all the money from their locked-in accounts. Application can be made to the financial institution where the account is held. A similar provision would be implemented for persons no longer employed but entitled to benefits from a pension plan. What we're dealing with here is a situation where people are in need either as a result of financial circumstances beyond their control or also shortened life expectancy. That is a situation we can all show some compassion for and must show compassion for, because it's people who have earned those pension monies and who need those funds, need them to be used to assist in their situations because of shortened life expectancy and financial problems.

I just want to deal with specific examples with respect to what we heard from people in our consultation, because there was a tremendous demand from individuals and also from organizations looking for the legislation to assist them in these hard times. They were asking for flexibility and fairness. That's all we're talking about here: flexibility and fairness in the means available for them to get access to their own monies.

Here's what we heard. An individual wanted to know why self-directed plans were not open to those who own them: "Why are we allowed control over our investments and not over the fruits of these investments? I resent becoming a burden to family and government when we have invested money to look after ourselves. I would like to make my remaining months or years happier. At present, we spend most of our time staring at the TV and the four walls that surround us. We cannot even consider a retirement home without a government subsidy." The reason is they can't get access to their own money that's been put into these pension plans.

Yet another individual said: "I have been diagnosed with a debilitating illness. I can no longer afford the medication. Government legislation prevents me from accessing my own locked-in RRSP monies. I am aware that starting next year I will be able to receive some of this money as an annuity, but I need all of it, hopefully to save my life."

That inflexibility, that barrier to access one's own monies, is going to be stopped by this government. We have listened and we are acting.

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Yet another individual said: "My disability pension is not enough to live on. My health is getting worse. Financial planners say that I can get my money only if it is terminal. It's terminal, all right. When I die it's going to be from the health problems I have now. How long depends on how good I can look after myself. I am anxious to hear from you."

I heard from my constituents and I'm very glad that the Minister of Finance has decided to act on this legislation and in the timely manner we are. I would suggest to all parties that we should be acting on this and shouldn't be playing politics, like the Liberals are across the way with respect to this bill.

Another individual said: "A great many of us have used all our savings and are just surviving on small fixed incomes. This money would make our forced early retirement, forced through illness, less financially stressful and afford us a better quality of life. I would like to see special consideration given to people in these circumstances and would like this issue proposed in the form of a bill in the provincial Parliament."

Another individual said: "I have tried to unlock this pension plan because of a desperate financial situation that we find ourselves in. I am not trying to use up all the funds, only a portion of it. I do not see the point of my being restricted from using my own funds to take care of myself. Today my wife and I find ourselves in a desperate situation and we have funds sitting in a plan that is being held up by bureaucracy and will in turn force us to rely on the taxpayers of this province. Please look at this situation as quickly as possible."

What's even worse, and I know this from an individual who has spoken to me, is when an individual with very significant financial problems has to turn not only to the government for assistance but has to turn to bankruptcy to protect their home and whatever assets they have accumulated over the years and as a result will be detrimentally impacted by the financial need they're in. When you have to look to bankruptcy to deal with a situation that could have been prevented by getting access to your locked-in pension funds, then I know the government isn't listening and isn't looking after the people we should be looking after.

That's why I'm proud to be a member of this government, because we have listened and we are showing flexibility. We are also showing fairness in giving people in financial need or people who are desperately ill an opportunity to get access to their own monies. That is long overdue. We're the only government that has looked at this. We have listened and we have acted.

Another thing I want to deal with in this legislation is that there are also MPP pension plan amendments. Looking at this, we have to remember with respect to our new MPP program what we did in the last mandate we had: We eliminated the previous gold-plated pension plan. We saved taxpayers \$5.5 million annually, and those savings remain protected.

Unlike the federal Liberals, who have done nothing with respect to pension reform but have put themselves in the position where they are far better off than the average taxpayer—they certainly have a very lucrative pension plan, and I'd say have taken the steps to make sure their plan is protected. Their plan is not even remotely close to the type of pension plan available to the members in this House, because we scrapped our MPP pension plan in terms of what it was known to be. I can tell you, that took tremendous guts on the part of this government, because we moved forward with a promise. Unlike the federal Liberals, who may have made promises with respect to the GST, made promises with respect to pension reform—they haven't lived up to one of those promises. This government has lived up to theirs.

When you're talking about supporting access to locked-in funds, we're doing nothing that would put anyone in a position better than the average taxpayer. I can honestly say that when you're dealing with a situation where there are people in financial need, people having medical hardship, to turn your back on legislation that is not only demanded but also is needed in our current society isn't serving your constituents properly. I don't think you should be playing politics with this legislation. I think what people should be doing here is that all parties should be joining and supporting this legislation, because there are people out there who need access to these locked-in funds.

We have heard hue and cry for this particular piece of legislation, and I'm just glad we can get this legislation through. If everyone co-operates, we can get this thing through before Christmas in terms of passage of the bill. There are financial organizations out there to help people. They have demanded we make these changes. There have been extensive consultations. This is something that should have been done many years ago, and it's finally being done.

I just want to say that I support this initiative on the part of the government and I think everyone should support it.

**The Acting Speaker (Mr Michael A. Brown):** Questions or comments?

**Ms Di Cocco:** I listened with a bit of incredulity to the statement by the member from Barrie-Simcoe-Bradford saying not to play politics with this bill. I have to say that is exactly what this government is doing. I say that because there's one part of the legislation that gives flexibility and, as the member said, it's long overdue. But again, why is the government discreetly tucking into this bill the component so that previous Ontario politicians who received hundreds of thousands of dollars in lump sum payouts before the new pension system in 1996 are now accessing the money with no limitations except to pay taxes?

I heard comments from the member from Peterborough saying, "You talk about double-dipping, and there are members who are double-dipping." Well, this legislation is actually allowing a lot of that. It's treating politicians differently. It's treating MPPs differently. The lump sum payouts were given with a specific criterion, that they be placed in locked-in retirement accounts with limited amounts to be withdrawn on a monthly basis after the age of 55 when they were retired from the Legislature.

But again, maybe just like you did—it happened this morning. I made a statement from a pamphlet that has a disclaimer on the back which says: "Whatever we say really doesn't count, so don't listen to what we write. We'll do something else."

**Hon Chris Stockwell (Minister of Labour):** So cynical for a new member.

**Mr Bisson:** Sometimes there's some good catcalling across the House, and the former Speaker had a good one there.



I listened to the two Conservative members talk about how members of the opposition shouldn't play politics with this issue and about how only their government had the courage to do what they're doing. I can guarantee you, an NDP government would not do what this government is by way of this legislation.

Number one, this is setting up rules that are different for MPPs as compared to the rules that will apply to every other pension holder in Ontario. It is true and it is a fact that MPPs, after age 55 and retired from this place, will be able to cash money out of their RSPs just like that [snaps fingers] compared to anybody else in the province. I can tell you, that is not something we favour.

The other issue is that this government is making a number of other unprogressive changes, which I'll talk about a little bit later, when it comes to workers' rights to pensions around the growing-in factor and around multi employers in Ontario. They're giving a sop to those employers who hold businesses other than inside Ontario. They're giving those employers some special provisions to opt out of pension laws in Ontario and lessen the rights of workers when it comes to pensions. And yes, an NDP government would not do that—quite the contrary.

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The other thing I want to say in the few seconds that I have left is that the reality of saying that you're going to open up RRSPs to people for catastrophic reasons is in itself not a bad idea. I don't disagree with that, but I think we need to have a bit of debate around here about allowing people to access RRSPs in the event of financial hardship, because that is going to be a great temptation to people throughout their lives or business cycles, which could leave people without any pension rights when they come to retire.

**Mr Galt:** I'm very impressed with the comments made by the member from Peterborough and also the member from Barrie-Simcoe-Bradford: very inspiring, very thoughtful comments, I was disappointed in some of the comments made by the two opposition parties, who really don't understand the bill. Obviously, if they've read the bill, they don't understand it. Maybe I'll give them the benefit of the doubt. Maybe they haven't read the bill and just don't understand some of the content in there.

Both the member from Peterborough and the member from Barrie-Simcoe-Bradford pointed out the compassion of this bill and the thoughtfulness of it so that people who are hard-pressed—especially with sickness, disability from work, having lost their unemployment insurance, for example, and don't have long-term income protection—are able maybe to get some of the funds in their pensions. It's their money. They're the ones who have invested, both their employer and themselves, have put into pensions, and consequently when things are tough they should have the opportunity, especially if they are into some terminal illness such as AIDS or cancer or one of the other terminal diseases, to draw on those pension funds. If you're 55 and you have a terminal illness and only expect to live another couple of years,

what good is a pension going to be at age 65 or whatever? It's important that those people be able to get those dollars at the time.

As I've mentioned before, this is one of the most compassionate governments the province of Ontario has ever seen, with the extensive consultation. Again, this is a good example of extensive consultation that has been carried out through 1998 and 1999 to bring forth this bill.

**Mr Ernie Parsons (Prince Edward-Hastings):** I certainly missed the public consultation that happened on this. When I talk to people, the question I'm asked most is about the gold-plated pension that the MPPs have in Toronto. I've explained to them, "No, that doesn't exist," and wrongfully so. It is an embarrassment that I will carry with me to my grave. I defended the Premier for what he did on the pension because I believed it was the right thing, but it turns out that I and a lot of us were fooled. It wasn't a matter of getting rid of the gold-plated pension; it was a matter of hiding it for a little while until people forgot.

In terms of priorities, we need to think about that. The first issue I dealt with as a new member was squeegees—*Interjection.*

**Mr Parsons:** Minister of Education, be a role model for your students, please.

This would be an excellent topic except for the cost of a referendum: What would the general public think of MPPs having slightly different rules from anyone else? I don't need a referendum to know what their answer will be.

I think this is probably politically wise: Bring this change in, in the first six months. The public will have forgotten it four years from now. It will be an issue that's gone and forgotten. That still doesn't make it right.

When we look at children in poverty, and I don't care what number you accept—let's take the government's number that poverty is only 6%. That's 6% too high but it's 6%. We look at children starving, yet one of our priorities is putting in place legislation that would allow MPPs access to their money before the others: fundamentally, morally wrong. I support people being able to access it, but MPPs—same rules as everyone.

**The Acting Speaker:** Response?

**Mr Tascona:** I'm very pleased to respond to my colleagues. I appreciate their responses. Certainly some of them were well thought out, not all of them. I'll deal the best I can with them.

The MPP from Sarnia-Lambton talked about the MPPs. She basically plays with words, because she said, "I don't think this should be something that applies to MPPs, because it benefits Ontario politicians." Well, what are we here? We are Ontario politicians. The point she's making escapes me with respect to this. Everyone is being treated equally in this House.

To the MPP for Timmins-James Bay, there's not an iota of proof—I don't know what he's talking about—that this lessens the rights to workers. What we're talking about here is helping people who are in financial need; we're helping people who have medical problems.

There's nothing in this bill that deals with workers' rights that would be lessened.

The MPP for Northumberland certainly shows compassion. He gave some examples with respect to people who are facing terminal illness benefiting from this.

To the MPP from Prince Edward-Hastings, get a grip. Whom do you think this is going to help? It's going to help children and families or people who are having financial hardship, people who have medical problems. That's whom it's going to help. Read the bill. He never spoke once on the bill, so I would say to him, read the bill and you're going to see that it helps children and families.

The point that was made by the member from Sarnia-Lambton—she is playing with words. Focus on what we're dealing with here. There's nothing that's benefiting anyone else. All the Ontario politicians are being treated the same, and I think she should read the bill and understand it.

**The Acting Speaker:** The member from Renfrew-Nipissing-Pembroke.

**Mr Conway:** I'm happy just to be called the member from Renfrew.

I am pleased to join the debate tonight. Let me say at the outset that in the main we have good policy and good legislation. It was said by the parliamentary assistant, the member from Wentworth, that previous members—certainly Bill Grimmett, the former member from Muskoka, is one who I know worked on a number of these issues. I read with some interest the debates here last Thursday night and I tried to listen to the debates earlier this evening.

It is hard for me to disagree with much of what has been said by a number of people on the government side when it deals with increased flexibility that is provided around the withdrawal of monies from various pension accounts. I want to be very clear, and I think with one very notable exception, that it is for me disabling and a major problem, a problem that I'd like dealt with. With that aside, this is good policy, and for the reasons well advanced and I think well understood, it should be supported.

The problem I have is the one that deals with the members' portion of this, particularly sections 20 and 21 of the bill. Let me be very candid, because I was listening elsewhere tonight and I heard my name intoned. Well it should be, because I want to be very honest with the House tonight: I am one of the principal beneficiaries of a change that I think is wrong and which we should not make.

I don't know how many members understand the provisions that affect those of us who are—what's the proper word? Not “grandfathered.” Those 61—

*Interjection.*

**Mr Conway:** “Vested,” that's the word. Thank you, I say to my friend from Wellington. Make no mistake about it: Some of us, with names like Conway, Harris, Eves, Sterling, Runciman, are very substantially advantaged by a portion of this bill, and it is wrong that we

should be so advantaged. The question is, is it special privilege for special people? I want to deal with that.

The member opposite, the Minister of Education, said, “It doesn't cost the taxpayer any money.” That's technically correct but that's not the issue. On April 10, 1996, my friend the Minister of Finance, Ernie Eves, stood in this place and introduced Bill 42, an act to do away with the old gold-plated pension plan. Let me read what he said on that day. Mr Eves said, “In the Common Sense Revolution, we,”—the Harris Tories—“promised, ‘We will end the sweet deals politicians have created for themselves.’”

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He went on to explain how they were getting rid of the pension plan. It was an interesting debate. There was no dissent. Mrs McLeod spoke for the Liberals, Mr Cooke, formerly the member for Windsor-Riverside, spoke for the NDP, and the legislation passed unanimously. The government argued at the time that it was doing this because it was time to end special sweetheart deals made by the politicians for the politicians. It was a very popular thing to do.

What we have here today, I say to my friends, in one particular respect is another sweetheart deal for a very few members of this Legislature named Harris, Eves, Conway, among others. I want to make it plain. No one benefits more from this change than I do. It's a wrong thing for me to support. I would go even further and say it's immoral.

There are an awful lot of you newly elected people who should not sign on to this, though I say very seriously that when people like Gary Stewart do as he did tonight and point out all the other people who rightly call out for help, he should be supported and those changes should be made. Any fair-minded member of this Legislature would want to do that. But in the name of that justice, we should not go and make this deal possible so that Harris and Conway and Eves and Sterling and Runciman and Bradley get the special consideration they are getting.

I have talked today to the Minister of Finance and to the parliamentary assistant who have carriage of this bill, because I was concerned that I perhaps was not fully understanding the issues at play here. I read the speeches the other day of Mr O'Toole, Mr Kwinter, Mr Gerretsen and Mr Skarica. I read them very carefully. That's why I raised quietly today with the Minister of Finance and his parliamentary assistant my concern, and let me get to that concern.

Back to the speech of April 10, 1996: Mr Eves could not have been clearer and for that clarity I think we ought to be thankful. What did he say would happen? He said three things would happen to the three sets of people who were affected by the legislation. If in fact you had retired and you had a benefit under the old plan, there would be an annuity purchased by the assembly to support that contribution for the rest of your life. If you were a newly elected member, there was going to be a traditional RRSP to which the employer—the government of On-



tario, the Legislative Assembly—would make a contribution and members could on their own, if they so chose, top it up.

What did he say about the members who were still around and who were vested under the old plan? He was very specific. Let me read from page 2193 of the *Legislative Hansard*, Queen's Park, April 10, 1996. Quoting directly from Mr Eves, the Minister of Finance on that date, "To terminate the existing benefit arrangements, annuities will be purchased to cover the pensions of retired members, their spouses and dependants."

Here is now the really important sentence, "All members with benefits earned under the old plan who have not yet retired will have the appropriate funds transferred to a locked-in retirement plan."

It could not be clearer. That's what I remember, that's what I was told, and that was the deal that was honourably made.

What do I read in the *Ottawa Citizen* the other day, December 10, 1999? Quoting now the Minister of Finance, because the story is, "New Rules Give MPPs Better Access to Pensions," and the story is, as I understand it, substantially correct. Quoting the *Citizen*, what does it say, December 10, 1999?

"Sixty-one MPPs received lump-sum payouts when the Tories scaled back the infamous 'gold-plated' MPPs pension plan during their first term in office. The payouts, which included \$860,000 to Premier Mike Harris and"—let me say it, \$1 million to S.G. Conway, MPP, North Renfrew, in case there's any confusion—"more than \$1 million for each of five other people including"—the article says, "Bob Rae," but I'm one of the five, let me be quite frank, and it's a matter of public record, and those funds "were placed in locked-in retirement funds that made monthly payments once the owners reached 55 and were retired from the Legislature."

The operative paragraph in this article of just the other day is as follows: "The changes introduced yesterday," meaning Bill 27, "alter the rules so that former politicians over 55 will be able to withdraw all or part of the money as long as they pay tax on it."

Now, quoting the Minister of Finance: "'When we eliminated the (old) plan, there was an oversight in the legislation,' Finance Minister Eves said after the bill [Bill 27] passed first reading. 'The intent was always to have (the) MPPs ... treat their amount as a personal registered retirements savings plan.'"

I submit to this House that is not what the minister said in this House three and a half years ago, and that's a very important distinction that gives to me a benefit that is not generally available to my constituents. I can't believe that honourable members, particularly those of the new class of '95 or '99, want to stand up and assent to this kind of sweetheart deal for a few, granted, very senior members, one of whom happens to be the First Minister, when we are not providing a similar benefit to the general population. That is wrong. It is particularly wrong, since this process began in the spring of 1996 on the high altar of saying "We are ending special sweet-

heart deals for politicians, made by the politicians for the politicians." How could anybody assent to that policy in 1995-96 and now agree to this rider to another otherwise good bill?

The argument is going to be made—and I've got friends who are former members who may very well have had some financial difficulty or they may have a medical hardship. I think part of the appeal of the government's Bill 27 is, if there are members who face those special circumstances they can now, under this policy, go forward and argue their case with the superintendent of financial services. So we're giving those people a right they didn't have before, to argue special circumstances, and to seek an amendment that will allow them greater access to their locked-in funds.

If we don't feel that that's sufficient redress, then we have to in good conscience say that this change—and understand what the change is. Conway has, as my friend Stockwell would say, not an inconsiderable locked-in retirement account, and that's true, and it is governed by the pension benefits legislation. The big change here is that Conway's locked-in account, when he becomes 55—which is for me seven years hence forward—my draw-down on that account would have been governed previously by the pension rules which say that you can only take out a certain amount annually. You can't go beyond that. What we are doing here? We're saying to Conway and Harris and Eves and Sterling and Bradley and Runciman: "Oh no, we're now going to make it possible for you—when you get to age 55, those limits aren't going to apply. You're going to be able to have much more flexibility. You can take it all out, presumably, if you want. Yes, you'll have to pay tax, but you're going to have much more flexibility than you would have had otherwise."

That, let me tell you—any pension manager, any benefits adviser will tell you—is a considerable benefit. If we're going to make that possible, it damn well better be made generally available. I cannot imagine going home to Renfrew, I can't imagine my friends opposite going home to their respective communities, and looking someone in the face and saying, "We did it for some of our own, but we're not going to do it for you."

**Hon Mrs Ecker:** How do you know that?

**Mr Conway:** I know it because I have a bill in front of me. I have Bill 27 before me. I have to say to my friend the Minister of Education, if it is the intention of the government to make this benefit generally available, it seems to me one thing should happen: This bill should be rewritten and either that benefit should be clearly made generally available, or, if the government is not able to do that at this time, it should amend this legislation by taking the special provision out for 61 members of the Legislature.

2030

I don't think you have to be Einstein or Mother Teresa to understand the absolute intolerability of this situation. On the very day that we awaken to the news that has the Minister of Community and Social Services saying to

welfare recipients, "One strike and you're out," on the very day that we talk about cracking down on malingers and other wayfarers, we plan what? We plan to give the Premier and front-bench members on both sides this kind of a sweetheart special deal. Incredible; I can't believe it. I don't believe that the government caucus wants to do this. I think I fairly represent the opinion of the Liberal caucus, that with some redress for this very serious problem, the rest of this bill should proceed for the good and cogent reasons given. But what are we to do? We could say, "We are powerless." We know the score. We know who the beneficiaries are. I say to my friends, if this Legislature is that supine, if we are that gutless, then we deserve the fate that awaits us. Don't you think for a moment that I wasn't tempted just to go away and be quiet, because I can say without any fear of—

**Hon Janet Ecker (Minister of Education):** You've never done that before.

**Mr Conway:** Let me finish on this point, Janet. I can say without any fear of contradiction that there is no one in this assembly who has a greater personal benefit than I do. I'm very serious. Let me repeat again: It is wrong and it is immoral. It is absolutely wrong because this is the policy that is concomitant to the end-special-deals policy of three or four years ago. That's where this began. This is a very special deal for a few very special people. I just can't imagine that hypocrisy has reached such a zenith that any one of us wants to stand up here and affirm that special people should get this kind of special treatment.

I'm sorry if I seem to be a little strident on the subject, but on this matter I expect the House to take matters into its own hands. I have heard the stories, as Gary Stewart and my colleague from Sarnia and others have recited here tonight, of hardship. Those are real stories, and there has been good work done. We should not jeopardize that good work because of this proviso.

I also want to be clear that this bill should move forward expeditiously, but if it is not amended, if there is not some redress given to my concern and that of a number of other people, this bill is going to have a tough time, and it should have a tough time. It should also be a warning to all of us that sometimes—and we've all done it. The politics are sometimes easy. It's a quick, cheap hit up front; you get a headline. Then you realize that it's not quite as simple as you thought it was. The mischief-maker in me looks at this and says, "Oh, boy, those smart people who write those electoral manifestos for all of us know what the quick hit is," but months and years later you find out that there's some of this that's a little more complicated; it's not quite as easy as it appears.

Where I have a real problem, I say to my friend the parliamentary assistant—whose speech I read which I thought was quite creditable—is that when I look at what the Minister of Finance said three and a half years ago, it's very clear what he intended. I won't be provocative. This speech of April 10, 1996, is replete with all of the rich political vernacular of politician-bashing. It was very clear what our friend Mr Eves intended. If you were

vested, your monies were going directly into a locked-in account, and that account was going to be governed, not by the RRSP rules but by the LIRA rules as set out in the Pension Benefits Act. There was no confusion. There was no ambiguity.

I think the House always has to be sensitive to unintended consequences because they will happen. I don't care how clever you are; it's very difficult to anticipate all circumstances. This bill was first introduced on April 10, 1996; second reading on April 18. It passed very quickly with all-party agreement. It went to committee of the whole on April 23. There were six amendments, moved I think by Mr Sampson, the now minister of corrections. It was dealt with in committee on April 23 and reported back out, as amended, and given third reading on the 23rd and royal assent on the 25th. The whole thing was done in two weeks and it was very clear what was intended.

What was manifestly not intended three and a half years ago was that there would be a retroactive provision to turn those LIRA accounts, constrained as they are by the pension benefits legislation, retroactively into RRSP accounts that are much more generous to 61 members with names like Harris, Eves, Conway et al. You shouldn't do that, and I expect—

**The Acting Speaker:** Thank you. Questions and comments?

**Mr Bisson:** It's interesting to note that as the member from Renfrew made his points, he managed to get a certain amount of silence from the Conservative side of the benches. I have to wonder if that is because of his speaking style or because he managed to put to a very fine point what this legislation is all about.

**Hon Mrs Ecker:** Just respect for his usual rhetorical skills.

**Mr Bisson:** The Minister of Education says it's because of the great amount of respect they show for the member from Renfrew, but I doubt that is the case. I think the reason is that what the member says is the case: that the government, on the one side, is trying to be seen as the Reform-minded government, the Preston Manning government of Ontario which supposedly got rid of the gold-plated pension, and now, some four or five years later, some of the more senior members of their cabinet and their caucus are looking at it and starting to say: "One day I'm going to leave this place and I'm getting close to 55. Jeez, I've got a big, huge chunk of cash, \$800,000 to \$1 million," such as the Premier of Ontario got when the pension plan was wound down, such as other members got with that amount of seniority. People on the government side are trying to figure out, "How can I get my hands on this cash?" Under the current rules in Ontario that money is in an RRSP system that is locked in, and you can draw off only so much per month. The Premier is sitting there with \$1 million in cash built up with interest, and people like Norm Sterling and others are saying, "How can I get my hands on that cash so I can maybe take out a couple of hundred thousand dollars and start up some sort of consulting business,



maybe buy a condo in Florida?" Maybe they want to get into flying or something and they're trying to figure out how to use that money a little bit more creatively.

I can understand their wanting to do that. My only problem is that if you're going to do that, you've got to make the rules the same for everybody and not have rules for workers and the rest of Ontarians different from what happens with MPPs. I think the member from Renfrew made the point well.

**Mr Toni Skarica (Wentworth-Burlington):** I'd like to thank the member opposite for a very excellent speech delivered with his usual passion. Perhaps I could read from the commitment made in the Common Sense Revolution back in 1995. It says: "Under this plan, MPPs' pensions will be abolished and replaced with an RRSP contribution program similar to those used by other professionals in Ontario." What this amendment does is fulfill exactly that commitment: that this plan, pursuant to this amendment, will be just like any other RRSP plan where at age 55 you can take out whatever portion you want. You can take all of it out or some of it, and you have to pay taxes.

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The member indicated that it's immoral and that somehow there should be outrage. I have not had one complaint from any members of the public with reference to this change. I might indicate that it does not cost the taxpayer a single cent. Really what it does is it converts all the plans that are in this House to RRSP contribution plans. Now we all have the same rules that already exist for all RRSP plans, and that is that you can take out as much as you want or as little as you want; you just have to pay tax on it. What this does is complete the commitment that was made in 1995.

I indicate that for most of us it has no impact at all. Mr Conway indicated, "Well, I have \$1 million and I benefit tremendously." I can tell him I have virtually nothing and I benefit from nothing.

This change makes it into a true RRSP plan, and that's the intent of the legislation.

**Mr Bruce Crozier (Essex):** I want to support the comments of my colleague from Renfrew in that there are two—

**Hon Mrs Ecker:** Surprise, surprise.

**Mr Crozier:** The Minister of Education says, "Surprise, surprise." The Minister of Education also barracked earlier that this doesn't cost the taxpayers anything.

It doesn't cost the taxpayers anything in dollars, but it costs this House a great deal in moral respect.

**Hon Mrs Ecker:** Oh, wow. When did you start worrying about that?

**Mr Crozier:** There are two sections to this bill, Minister, that you apparently don't understand. We support the part that supports all Ontarians when they get into some kind of financial or medical difficulty. But the MPPs' side of this bill treats 16 privileged members of this House. That's not right. There isn't another Ontarian in this province who can take their pension money under

the Pension Benefits Act and go out and buy a yacht with it. But it can happen with the MPPs. They can take that money and buy anything they want.

**Hon Mrs Ecker:** They can take it and pay taxes.

**The Acting Speaker:** The Minister of Education will come to order.

**Mr Crozier:** If there are some of those 16 who are in financial difficulty, then they'll be covered under the first part of the act. But three years ago the Minister of Finance stood here and said, "We're going to lock in all this money we're going to give you, and you're not going to have unfettered access to it." What this amendment does is it takes MPPs out of the Pension Benefits Act, treats them differently than all other Ontarians—

**Hon Mr Stockwell:** Well, we are different.

**Mr Crozier:** We are not different. The Minister of Labour says we're different. In this case we're not different. We should be treated like all other Ontarians.

**Mr Galt:** As I stand to respond to the member for Renfrew-Nipissing-Pembroke, I think it's interesting—

**Hon Mrs Ecker:** The Liberals said they want their pension plan back.

**Mr Galt:** I just heard it called across the House that the Liberals would like their gold-plated pension plan back. I'm a little surprised that you would say that you wanted it back and would openly admit it here in the House.

On page 8 in the Common Sense Revolution, of which we had several copies made—

**Mr Crozier:** On a point of order, Mr Speaker: The member said that I said I wanted the Pension Benefits Act—

**The Acting Speaker:** That's not a point of order.

**Mr Galt:** I can understand why they'd be upset with having made that comment. In the platform in 1995 it stated: "Under this plan, MPPs' pensions will be abolished and replaced with an RRSP contribution program similar to those used by other professionals in Ontario. The tax-free benefits paid to politicians will also be abolished"—something we did, just as we promised. "They will be paid a straight salary, just like ordinary Ontarians." Exactly what we said we would do, we did.

Then it goes on: "With fewer MPPs, we can also cut the cost of running elections by working co-operatively with Elections Canada to do the job." That was a little difficult because we got the Liberal voters list from Ottawa and I can tell you, it was quite a mess. Maybe by the time we get finished working it over and redoing it, it's going to be a lot better for the federal Liberals coming up to the next federal election. I just thought I'd bring some of the platform to your attention.

**The Acting Speaker:** Response?

**Mr Conway:** Three things. I want to say to the parliamentary assistant that I paid very careful attention to what he read and I want to return to Minister Eves's statement of April 10, 1996. It was very clear what the policy intended. Going forward, for new members there would be an RRSP plan, and to that extent he's absolutely correct. For the retirees there was going to be an

annuity purchased that would provide the level of entitlement that had been promised.

My complaint is with the third group, the group of members who were vested under the old plan but are still here. It's very clear what was intended. The Minister of Finance, then as now, Mr Eves, said that those members who were vested would have their money transferred into a locked-in retirement account. We're not doing that. We are retroactively changing that, and that advantages 61 people in a way that is not generally available to other people. I think that is wrong and that should be dealt with. I can't be clearer on that. I don't quarrel with the RRSP plans as you reported, because that's what we're doing. That's not my complaint. I expect this House to do something about it, because otherwise this is good policy and it should go forward.

I want to say to every member here, this is a crucial point, because I honestly believe that it speaks to the values of honour and integrity. This bill can only carry if we vote for it, as is or as amended. I want to vote for this policy, but I will not vote for this bill unless and until that offending section that I've complained of in this speech is dealt with.

**The Acting Speaker:** Further debate?

**Mr Bisson:** Before I commence, I would like to indicate for the record that we're deferring the lead to our critic—he's in the House leaders' meeting tonight with the other House leaders—until the next chance we have to debate this. That's unanimous consent sought. Agreed? Agreed. There you go. Thank you, Speaker.

**Mr Conway:** I take it tonight they're at the House leaders' dinner party.

**Mr Bisson:** That's where they're at; just exactly where Dwight and the rest of them are at.

First of all, I'd like to take the opportunity to comment on this particular bill. As I said earlier, all of the government members have gotten up in this debate and said how wonderful this bill is for the people of Ontario and how MPPs should never be seen speaking against this bill, voting against this bill, speaking against any parts of this bill; otherwise, it would be just a terrible thing.

For the record, I want to speak to a couple of items that haven't been spoken to yet, and if I get an opportunity, I'll come back to some of the points that were already made. As you know, we only get 20 minutes now to debate bills after we've done the leads, a rule that was changed by the Conservative government. Newly elected members would have no idea how this Legislature used to work at one time when people really did have time to debate issues. There was really some give and take and there was really some work done by House leaders, and there was really an ability to try to find a consensus on bills. What we have now is a government that rules by decree and moves everything by way of closure motions, something that has become the norm around here, rather than what it used to be before.

As I said, the government said: "This is a good bill. There is nothing but good in this bill. There is nothing bad about it." I want to raise two specific amendments

that this bill makes to other pieces of legislation that I think Ontarians should be careful about and should pay special attention to.

The first one deals with multi-employer pension plans. Under clause 8(1)(a) of the Pension Benefits Act to which this bill is making amendments, we are going to be making changes to how multi-employer pension plans operate in Ontario. You would know, for example, in the trucking industry and the construction industry and a multitude of other industries, the individual employers may not be large enough to go out and purchase, for a good buck, a pension plan, so they bind themselves together by industry and go out as a group of employers to buy a pension plan for their employees as was negotiated in their collective agreement. We see that as the common way of doing things, for example, in the construction industry.

**2050**

In this bill, there are amendments under the Pension Benefits Act that say that the rights workers won in court saying that multi-employer plans must be administered by a board of half employers and half employees would be gone.

You would know that workers in the past have gone to court and have argued successfully in a case where multi-employer pension plans were being wound up that there needed to be a board of administration put in place, or as we call it, a board of trustees, where half the board is made up of workers and the other half is made up of employers.

Under this particular bill and amendments that we're making under the Pension Benefits Act, clause 8(1)(a) says that basically it would allow multi-employer pension plans in windup situations to allow one employer to administer the pension plan, no longer any board, no longer any workers on that board having the ability to decide where monies will be invested to make sure there are dollars there when their members retire in the future from other employers, no ability to—

**The Acting Speaker:** Could we just have some order. Take some of these conversations outside. I'm having some difficulty hearing the member from Timmins-James Bay.

**Mr Bisson:** As I was saying, the government is very proud in saying there's only positive in this bill, there's nothing wrong, and it helps workers and people all over the province. One of the things that we're finding out is it's allowing employers and multi-employer pension plans to get away from the trustee boards that we have now, where half are appointed by workers and the other half are appointed by the employer; rather, we're going to a system that will allow the employers to decide among themselves which of the employers would administer the pension plan. That has huge consequences to employees in windup situations. For example, in a particular group of employers where the pension plan is to be wound up it would allow a particular employer to decide where monies would be invested, how monies would be dealt with. It would allow a number of decisions to be



made that, quite frankly, would affect the viability of that plan for future retiring workers and would also affect the ability to pay out existing workers monies that they're due.

That is but one section of the plan that I have great problems with and one of the reasons I will vote against this legislation, because I've always believed that workers have the right to sit on pension boards to make decisions along with their employers about where money is going to be invested and about how that money is going to be dealt with. In the end, it is a benefit that was negotiated by the employees from the employers. It's employees' dollars, so those employees should have the ability to sit on the board and decide what happens with some of that money.

There is another section of the bill that I think is even a little more distasteful, if you really listen to this, and I would urge members on the government side to really read the legislation and not just read your briefing notes that you get from the caucus services or wherever you get your particular briefing notes from. If you go on to the bill and have taken the time to read, you're making amendments to the Pension Benefits Act. Under section 93 and subsections 95(2) and (3), read what it does over there. It eliminates for some workers the right to move into what they call a growing-in factor within the pension plan. Let me explain that.

Under the current pension legislation, for example, let's say that you've been working somewhere and your retirement factor is 80. Your age and your years of service must total 80. Let's say that your particular employer goes under and between your age and your years of service, you're at factor 78. Under current pension laws, you may not be accumulating time as far as seniority working, but in two years' time when you reach your factor 80, because you're two years older, you have the right to collect your early retirement provisions of your pension. And that's very important. I look at workers of Macassa mines. I look at workers at the Royal Oak mine in Timmins. I look at people up at the Detour Lake mine. I look at employers across Ontario that have had to close their doors because of what has happened in the economy or for whatever reason. What we have is a number of older workers, aged anywhere from their 50s and up, who have provisions within their pension plans to be able to retire at a factor 80 or 85.

Under the current pension laws in Ontario, laws that quite frankly have been made to give some protection, we have the ability to increase your factor number with your age even after the employer has closed down their doors. So under the current situation the employer, for example, Macassa mine, the Royal Oak, closes, the persons that factor 85 as the magic number, the person only has, let's say, 78 or 79 years of service with age. They're able in a year or two, whenever they reach their 85, to go in and collect their pension.

Under this particular legislation, and under amendments made to the Pension Benefits Act, you would not have the ability to do that. It takes away that right from

workers. You're saying: "We're proud, as Conservatives of bringing forward this legislation and giving people in the province of Ontario the rights that they're getting under this bill. Nobody else would have the courage to bring forward such legislation." That was the mantra spelled out by the Conservative members. You're darned right you're the only ones who would decide to do this, because an NDP government certainly would not bring in provisions like that, which will strand the most vulnerable workers in Ontario, those older workers who have been working somewhere for 25 and 30 years, whose employer has shut down. You will bar their access to pension under the early retirement provision. They will now have to wait until age 65 to get their pension dollars rather than being able to kick into the early retirement provisions that exist within the current pension plans.

It's not me saying this, out of sorts. I want you to go read your legislation. That's right. Open up that book and take a look at the amendments you're making under the Pension Benefits Act, section 93 and subsections 95(2) and (3).

Another thing you're doing, also under the Pension Benefits Act, is that you're making amendments inside that particular act that would allow interprovincial employers to cover employees through other provincial pension legislation. Now you say: "Well, what does that mean? That's a bunch of legal jargon. What does it really mean?"

What it means is that if you happen to be working for an employer who has offices outside of the province of Ontario, under the current pension legislation, even though their head office might be in Regina, it might be in Vancouver, it might be wherever, the employer must utilize Ontario pension rules when it comes to putting together the pension plan for the employees working in Ontario. The rules basically say "where the majority of employees exist." In Ontario that means we follow Ontario pension rules in 95% of cases.

Under amendments made under this act, I think it's 95, this particular one, it says that the employer will have the choice to go shopping around other provinces and park themselves under the legislation that gives them the best deal. For example, if Ontario pension rules allow provisions that give workers some additional rights to their benefits or the benefit itself as far as cash or benefits are concerned, that employer would be able to say: "Hang on a second. If I park myself under, let's say, Alberta's pension legislation, we don't have to pay as much because the benefits will not be as much as required under the law and the various statutes that flow within in."

The Conservatives get up and say only they have the courage to bring forward legislation like this to give Ontarians a good deal. I say again, an NDP government would not put in place that type of legislation, and that's one of the other reasons that we're going to vote against it, because this government, by way of amendments to the Pension Benefits Act, is going to give employers the ability to basically shop around other provinces to see

what pension legislation best provides relief for them as employers when it comes to their liabilities around pension.

Those are only three such sections inside this legislation that I found just by reading through the legislation on the weekend and tonight that I can see that basically have some very big question marks associated with them where workers are going to lose a number of rights.

I also want to get on the issue of giving people the ability to cash out RRSPs for catastrophic reasons and for financial hardship reasons. Let me, for the record, say this: When it comes to catastrophic reasons, I have no argument. If, for example, a person is mortally ill from whatever disease, or they know their quality of life, in a short period of time, is going to be such that they will not be able to enjoy retirement in the years to come because they know they're going to be ill with an illness that will disable them to the situation of not being able to get around and enjoy those things that we'd like to do in retirement, certainly, no argument.

A person has \$50,000 or \$60,000, or if they're lucky \$100,000, in RRSPs. They're 40 years old. They find out: "My Lord, I've got multiple sclerosis. I'm being told that by age 50 I will not be able to get around again. Jeez, I wouldn't mind taking \$20,000 and going off on a holiday somewhere or buying myself a van for the disabled"—or whatever it might be. I agree. In those conditions that makes a lot of sense. I commend the government for that part of the bill. If you can carve that out, I would vote for that, no question. I think that makes a lot of sense.

2100

Where I have problems, and this is where I'm sure I'm going to spark some interest from the government side, is in allowing people to cash out money because of financial hardship. There are all kinds of cases that will be able to be made or that people will try to make to get access to their RRSPs in case of financial crisis.

The first problem I have is that we're passing this bill through a pig in a poke because the regulation has not been written yet that defines what financial hardship will be. That could be this wide or that wide.

I look at the members across the way and it may turn out in the end—I'll give you the benefit of doubt, Wayne—that your government in the end might say, "Oh, it's only under very specific situations that this will happen." Maybe. Or it might be in a situation—

*Interjection.*

**Mr Bisson:** I told you I'd raise the ire here. It might be that when they come to define this by way of cabinet committee and by way of cabinet itself, they will give a definition that's this wide. There's a problem with this because there's going to be a huge amount of temptation on the part of people to say: "Jeez, I lost my job. I'm 52 years old and I'm not quite ready to retire. I've got \$120,000 or \$140,000"—whatever the number is—"in locked-in RRSPs. If I can only get access to, let's say, 60% of that money, maybe I can go out and try to start up a business." The government says, "That's a good thing."

*Interjection.*

**Mr Bisson:** Hang on. Just hear me out. There are going to be situations, and you know it as well as I do, where people are going to be very tempted to try to get access to that money. They may end up blowing it on a bad investment or utilizing it to offset debts they've got.

For example, a person is almost in personal bankruptcy and says: "I'm under financial hardship. I need to get access to my \$150,000, so let me cash out my RRSPs." They slap the money out of the pension plan, which is the RRSP plan, and they go out and pay their bills. That fixes the problem for the instant, but what it does is take away certain benefits that person would have received in the years to come. When they should be retiring, they'll find themselves without the money.

That bring me to my point that I have not been a big fan of RRSP-type pensions. I believe defined pension plans, by and large, are a better model. There are few people, even in this Legislature, who are good enough money managers, who will resist the temptation to get at that money to do whatever with it and won't put themselves and their families in a position of not having the dollars when they retire.

You just have to go around this Legislature. When MPPs, the 61 of us, got our pension plans cashed out, part went into a locked-in process. There was another part that wasn't locked in that people were able to get their hands on. I would really like to know, because in talking to government members, members of the Liberal caucus and my own, a majority of those members cashed out the money to pay off debts. MPPs are like anybody else. We have mortgages and car payments and Visa bills and all of those kinds of things. People could not resist the temptation to run to that RRSP money rather than leaving it inside their RRSP pension plan. Because it wasn't locked in, they took the cash out to pay bills. They find themselves now, two and three years later, going: "Well that was kind of nice. I paid off my bills but now I've got other bills to replace those and I don't have the money any more. Rather than having X amount of money in my RRSP's locked-in program, I've got substantially less."

I just say that in this case what is going to happen is there going to be a temptation on the part of many people to go in and get access to their RRSPs when it may not be a good thing in the long run.

It might even, I would argue, put a spouse in a very difficult position. For example, you're an individual who is 52 years old and you've got, let's say, \$180,000 in RRSPs. You make a financial hardship argument before the board. You win the financial hardship requirement. You get, let's say, \$150,000 out of the RRSP and all of a sudden you go broke with that investment you supposedly made, or you paid off your bills, and you find yourself, 10 years later, trying to retire and there's no money there.

What happens is it's not only you, as the individual who cashed out the money, who will pay the price; it will be the spouse, who in this legislation has very little protection in making sure that his or her money is not



cashed out frivolously to pay off debts that shouldn't be paid off by way of RRSPs.

So there are a lot of parts in this bill that I have a great problem with. The other one is the special treatment we're giving MPPs when it comes to cashing RRSPs. We're saying everybody else in the province of Ontario will be able to access RRSP dollars in the event of either a catastrophic illness or special hardship. RRSP programs for MPPs, for the 61 of us who have been vested, and I'm one of them, won't have that requirement, Mr Speaker, and neither will you, Mike Harris or Norm Sterling. All of us at age 55 will be able to go, under this legislation as it's written, and say, "I want to take \$50,000 or \$100,000 out of my RRSP and I'm going *hasta luego*," I'm off to wherever I'm going. It will be our right as individuals to do so. But nobody else in Ontario will have that kind of lax requirement when it comes to getting access to RRSPs.

I come back to the point that I made earlier: It may not be a good idea that we as MPPs go out cashing that money at age 55 to take that trip, wherever we want to go around the world, because we might find ourselves blowing whatever little money we've got by way of retirement income in a short period of time. You'll find a whole bunch of MPPs walking around the city of Toronto with an old, yellow newspaper saying: "You remember me? I used to be somebody, and now I'm broke and I've got nothing."

That's what is going to happen to some people around here, because being an MPP doesn't mean you're an excellent financial manager. There are many people in this House from all sides, and I know a lot of them on your side, who have a problem trying to manage their own financial accounts when it comes to their family budgets. They'll find themselves in a situation of saying, "Let me get some of that cash and I'm going to go out and pay off those bills."

They're those MPPs, I can just see them, who are going to be down there: those street people you guys always complain about. They'll have those old, crumpled, yellow newspapers and they'll say: "See me? That's my picture when I was 43 years old. I used to be an MPP." They won't have anything to live on any more.

Maybe it'll serve them right for having done the type of thing they're going to do by way of this pension legislation. I will vote against this bill on the basis of the comments I've made in the House tonight.

**The Acting Speaker:** Questions or comments?

**Mr Galt:** I was certainly entertained by the presentation of the member for Timmins-James Bay. It's interesting that he agrees with one part of the bill. He talked about the shorter life expectancy and possibly taking a trip and seeing something during those last few years, and it's very thoughtful that he agreed with that. But he really was very passionate about not agreeing about hardships.

I've had people phone me and I just can't understand why he would be so vehemently opposed to helping these people in hardship. They need the money now. They

need to get their lives straightened out. Nothing is coming in, unemployment is gone and they're in trouble.

He's worried about people not knowing how to spend their own money, and that's really the difference between their party and ours. We believe that people can be responsible and should be responsible for looking after themselves. He believes that government knows best and that government should be looking after everyone.

I recognize there is a very basic difference between the two parties, and I respect him for that and the direction he's going, but certainly I believe, as our party believes, as this government believes, that people know how to spend their money better than government knows how to look after their money.

I think he touched on it, but just to zero in on some of the consultation and the support that we have from CARP, the Canadian Association of Retired Persons: I can't think of a group that would be better to take advice from than CARP. These are the people who have formed an organization, who have been through this. They have experienced it, they have personal involvement and they understand some of the situations that people get into whereby they should be able to access their pension plan, those dollars that are in there, when they need them, and they know when those are really needed.

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**Mr Bryant:** I'll join all those who applauded the comments of the member for Renfrew-Nipissing-Pembroke, the longest-sitting member of this House. He talked about sections 20 and 21 of this act. Let me be clear: I'm not imputing motives upon the beneficiaries of this act under sections 20 and 21. I just don't understand why the government would give the public, or for that matter the opposition, the opportunity to say that this is a cash cow for a chosen few. If there's any doubt that it's a cash cow, I would refer to the comments of the longest-serving member of this House, who I was glad to see didn't get heckled. I don't deserve that honour yet, so heckle away at me. I've been serving the least amount of time here in this House, along with 14 other members. So go to it, honourable minister. He said, and I haven't heard him say this before, since I've been in this House, and those of you who have been around much longer than I will know that he doesn't stand up and call legislation immoral on a whim—he may oppose legislation from this government often, but he said it was immoral. I'll be curious to see—we all have litmus tests of loyalty to the leader from time to time, and votes from time to time. But on legislation—

*Interjection.*

**Mr Bryant:** No. This legislation is different. This is legislation which will permit the beneficiaries, including the Premier and others in our caucus, a cash-out of \$1 million, ba-boom. That's exactly what they can do under these new rules. It's a flip-flop from the position taken by this government where it'll be interesting to see—

**The Acting Speaker:** Thank you.

*Interjections.*

**The Acting Speaker:** No. Sit down.  
Member for Durham.

**Mr John O'Toole (Durham):** Mr Speaker, the member for St Paul's certainly tried his best to beat the clock.

I want to follow up from the member for Timmins-James Bay. I am having some difficulty with his consternation. It's the greatest good for the greatest number. There has never been a bill here that has been perfect. For the most part this piece of legislation, Bill 27, goes a long way to recognize a serious change in the needs of society. I think that's the most fundamentally important part of this legislation. I can quote our Minister of Finance, Ernie Eves, who may be a net beneficiary: "If passed, this bill will permit persons facing considerably shortened life expectancy due to critical illness to withdraw all monies from their pension or locked-in accounts. Those in financial hardship would apply to the superintendent of financial services to determine whether they meet the necessary criteria to access some or all of the locked-in funds."

I don't think anyone here, in good faith, in good conscience, could even consider voting against this, when you think that our population is aging, living longer.

To finish, I was in my office listening to the remarks by the member for Renfrew-Nipissing-Pembroke, who of course is one of the net beneficiaries of this small, innocuous, little bill. He took great exception—I had to turn the volume up because I didn't want to miss his spectacular oratory, but I had some problem with the content. I thought the only thing is, he gets it both ways. He gets to talk against it and he gets the bonus. I have a great deal of respect for the member, but on this side we do what we promise. That's exactly what we deliver. It's for the retired people of this province.

**The Acting Speaker:** Response?

**Mr Conway:** I just want to say to my friend Mr O'Toole that he is—

*Interjection.*

**Mr Conway:** Member for Durham, this is a serious issue. The member for Durham makes a point about his apparent powerlessness. He's a member of this Legislature. We have some powers. I think it is generally understood that this is a bill with a lot of good policy. I want to say to my friend from Durham that I hope we have not reached a point where members of the government caucus feel utterly powerless to change that which I believe any fair-minded person would want to change. I repeat, the overwhelming majority of this bill is good and sensible policy. It should be supported; it should be moved forward as expeditiously as possible.

There is a rider in this bill that affects a number of people—myself and the leader of the government. I want to say very seriously that I can't believe there is anyone in this day and age who imagines it is going to be possible for the leadership of the government, the leadership of the Legislature, the leadership of the community to say, "One rule for you and another rule for us." That's the problem here.

I say to my friend from Durham, there is broad agreement on which we can move forward. There is one part

of this bill that I believe he understands and knows to be wrong, wrong for a whole bunch of reasons, wrong because it treats some people more preferentially than others, wrong because it subverts the solemn promise made three and a half years ago as to what we were going to do with those people who were going to be vested. They were going to be vested in locked-in retirement accounts. That we can change, I say to my friend from Durham. Stand in your place and change it.

**The Acting Speaker:** In response, the member for Timmins-James Bay.

**Mr Bisson:** Thank you very much to all the members who made comments on my contribution to this debate. I just want to say again to the members across the way that I support the idea of allowing people who find themselves with a health condition that is catastrophic to get access to their RRSP. If you want to carve that out of the bill, I would have no problem supporting and voting for that. I do, however, have a problem with a number of provisions in this bill that take away pension rights from workers. I spelled those out in my debate earlier and I still maintain that those are steps in the wrong direction.

With regard to the issue of allowing people, including MPPs, to cash out part or all of their RRSPs for financial hardship—in the case of MPPs they won't even have to do that because special treatment is given to MPPs—I'll say it again and it's not popular with certain people and I understand that. We say: "Hey, those are my dollars and I want access. Nobody should come between me and my ability to get at my money." But you forget that the reason these provisions were put in place under the existing legislation was in a sense to protect people from themselves. I know it's not popular to say that, but there's a temptation on the part of a lot of people to get access to their RRSPs early, to cash them out to pay off debts, Visa cards, whatever it might be, and they will put themselves in a position at a later date of not having the adequate amount of dollars in their RRSP locked-in program to have an adequate income in retirement.

Should we allow people some form of access? I'm open to that debate and I suppose there are some ways we maybe can do that constructively, but I worry that some people will see this as an ability to get their hands on their dollars and spend away their retirement income, and that is something they will have to pay for much later.

**The Acting Speaker:** Further debate?

**Mr Bart Maves (Niagara Falls):** I also believe that the most important part of this bill is something that Mr Stewart and Mr Tascona touched on: giving people access to their funds in hardship situations. But I want to deal with what some of the other members have raised, the MPP pension part of this. I want to go back to 1994, after I had read this document, the Common Sense Revolution, and I agreed, based largely upon the contents of that document, that I would run for office in the riding of Niagara Falls for this party.

One of the things that frustrated voters for so many years was gold-plated MP and MPP pension plans. The MPP pension plan basically went like this: If you were



elected one time, served a term and then were re-elected again, you would be eligible for a pension for the rest of your life, and the longer you served the higher that pension was and it would be fully indexed for inflation for the rest of your life. Most people in Ontario and Canada were very frustrated with their politicians, MPs and MPPs, having those types of pension plans. We ran and said we would replace this pension plan with an RRSP contribution plan.

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I don't have a lot of money. I'm a young man. My wife and I went through university and we acquired some debt because we had to pay tuition. The members opposite would have you believe that no one, except in the last four years, ever had to pay tuition, but we had to pay tuition and we had debts; we own a house, we have a mortgage, and I have a car loan and so on. We don't really have a lot of money to invest. But my understanding of an RRSP is that I can invest that money and I get a tax break for doing so, and then that money grows in an RRSP tax-free. At any point in time I can withdraw that money. However, when you do withdraw that money it's taxed at the current rate, so you're sensible not to touch that money until it has had a chance to grow tax-free and you're retired and you don't have other income coming in so it's not taxed at a higher amount.

When I ran, I could say with a straight face that when we passed our bill, we moved to an RRSP contribution plan. Members of this Legislature now receive \$4,000 a year, roughly, that goes into an RRSP plan, the controller of which was picked by a member from each of the three parties—not the greatest-performing fund, I must say, at this point in time. But that money goes into that fund and I don't touch it and I'm not going to see it until I retire, until I'm 55 years old. My understanding of RRSP contributions is that I can get at them at any time, any RRSP contribution I happen to make, and I have to pay tax on that.

The 61 other members, 13 of whom right now are Liberals—Bradley, Brown, Cleary, Conway, Cordiano, Crozier, Curling, McGuinty, McLeod, Patten, Phillips, Ramsay, Ruprecht—some of whom have been here for many years, stood to gain quite a bit from that previous gold-plated pension plan—in fact, I think Bob Rae stood to gain, when he turned 55, about \$135,000 a year in income from the taxpayers of Ontario. I think everyone finds that distasteful.

We replaced that, and monies went into an RRSP contribution plan. I was personally under the impression that anyone at any time could actually cash that RRSP contribution plan but paid taxes on it. When I found that wasn't the case, I was actually quite surprised, so it seems to me that it's only fair that this legislation correct that earlier oversight.

As I said at the outset, one of the key points of this legislation, that many members have talked about, is that of financial hardship. During consultations we've had in the past, many individuals came forward, and I know people have come into my office to talk to me about this

situation. They find they're in dire straits financially and they need access to their locked-in pension monies sooner. What we've done in this bill is said clearly that for those facing financial hardship the withdrawal of the money today is important to protect their own or their family's quality of life and best interests.

I want to read a quote from one particular individual during the time we had consultations on this. This is a lengthy quote, Speaker, and I apologize, but I think it brings home to people at home watching tonight the hardship that some people do suffer, the situations they are in and the unfairness that currently their locked-in pensions present them. The woman says:

"In December 1996, my husband suffered a debilitating stroke. After several months of rehabilitation it became apparent that he would never be able to return to work. It is now over eighteen months since [he] had the stroke .... [His] sudden incapacity has left me facing considerable debt .... We are living in a home where we cannot afford the heat or maintenance .... We have no bath or shower. Walking is impossible without a cane and night-time manoeuvring is dangerous .... We must move or renovate to reduce costs.

"We have been desperately looking for solutions that will allow us to pay our debts and retain our independence without relying on government-subsidized retirement homes .... I am selling all but essential possessions."

This couple has several hundred thousand dollars in life insurance, paid in full through decades of premiums. However, they themselves point out that to access the funds needed, "We have to die first." They told us at the consultation: "We have sponged from family and friends and have nowhere else to turn. Please help us to get our money. We are not asking for a handout but a hand up."

That is a situation that this bill addresses clearly. People will have access to those monies, other people in other situations with pension funds and similar hardships, after applying, I might add, to the superintendent of financial services and meeting specific criteria for eligibility under financial hardship, which will be out there. The member opposite said he's concerned that those criteria aren't before us yet, but I would remind him that for all governments and most pieces of legislation, those regulations pretty much always follow the passage of a bill. You wouldn't make a regulation, in most cases, for a bill until the bill passed, because if the bill didn't pass, you would have gone ahead and made a whole bunch of regulations that you couldn't apply anyway. It's only the passage of that bill that allows those regulations to take place.

I'm going to support this bill. I, like my colleagues from Durham and Hamilton-Wentworth and from the Barrie area, Mr Tascona, and several other members of the Legislature who have talked about this, have pointed out a very important piece this adds for seniors. We've pointed out that CARP, the Canadian Association of Retired Persons, is a very strong backer of this legislation. They have advocated for this before. As I said, not only did we have people who came to us with these

problems in the consultation process, but we come across lots of people in our own offices who come to see us in desperate situations facing financial hardship, but they can't get at that money, which they rightfully should be able to get at. This legislation will address that. It's got the endorsement of the Canadian Association of Retired Persons. I know this has the endorsement of a lot of other groups out there.

For my part, I'll continue to collect my \$4,000-a-year RRSP contribution. I willingly voted to be worse off than any of my predecessor MPPs in the province who tapped into that previous pension plan. To be perfectly honest and frank, a lot of people don't even realize that I no longer qualify for a pension other than an RRSP contribution plan. I even had close friends and neighbours, two of them, actually, in the post-election say, "The one thing I'm happy for you about is that now you've got that pension." I said: "No, I don't have that any more. One of the very first things we did when we were elected was to get rid of that." I gladly did that, because it was high time that tax-free allowances and those special gold-plated pensions and all those other little perks that previous members had—

*Interjection.*

**Mr Maves:** —members like Mr Bisson from the NDP, across the aisle, Mr Christopherson, Churley, Hampton, Kormos, Lankin, Marchese, Martel and Martin. They had all the benefits of those things. They never moved to do anything about those gold-plated pensions. They never moved to do anything about those beautiful—

**Mr Bisson:** On a point of order, Speaker: He just forgot to mention names like Mike Harris, Norm Sterling, Mr Runciman, who benefited—

**The Acting Speaker:** Order.

**Mr Maves:** Well, maybe I didn't mention Bradley, Brown, Cleary, Conway, Cordiano, Crozier, Curling,

McGuinty, McLeod, Patten, Phillips, Ramsay and Ruprecht.

Anyway, they were here for many years, they were in government for many years, and it was their government that failed to do something about it, which led to increased frustration among members of the general public about all the tax-free allowances, all the perks and the gold-plated pension. We finally did something about it in 1996, and I'm going to stand by that even though the federal Liberals continue to refuse to do anything.

I'm going to leave the floor now. My colleague Mr Kells has an opportunity to talk for the final 10 minutes or so of tonight's debate. I thank all of you for allowing me the opportunity to participate in tonight's debate.

**Mr Morley Kells (Etobicoke-Lakeshore):** It's a pleasure to rise and talk and join with my colleagues to support Bill 27. I think the benefits of 99% of the bill have been obvious to the speakers here this evening. The reason I've chosen to take these few minutes to talk on the bill is because I have a genuine interest in what the bill does and the reasons behind the government moving, as we are, to rectify a situation that has gone on far too long.

The first opportunity I had to stand for political office was in 1971, and that was in my current riding of Etobicoke-Lakeshore. Although the boundaries have changed it's been generally the same area all these many years. Probably the biggest shock I had in politics back in 1971 was when I went door to door and found so many elderly women who were living in rooms or small quarters and obviously living on very reduced—

**The Acting Speaker:** Thank you. It being 9:30 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 2131.*



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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
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Broadview-Greenwood	Churley, Marilyn (ND)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
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Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
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Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Minister of Transportation / ministre des Transports	London-Fanshawe	Mazzilli, Frank (PC)
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Durham	O'Toole, John R. (PC)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Eglinton-Lawrence	Colle, Mike (L)	Mississauga East / -Est	DeFaria, Carl (PC)
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Essex	Crozier, Bruce (L)		
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Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		

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Northumberland	Galt, Doug (PC)	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
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Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Sudbury	Bartolucci, Rick (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thornhill	Molinari, Tina R. (PC)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oxford	<b>Hardeman, Hon / L'hon Ernie</b> (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Parry Sound-Muskoka	<b>Eves, Hon / L'hon Ernie L.</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Perth-Middlesex	Johnson, Bert (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	<b>Palladini, Hon / L'hon Al</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Wentworth-Burlington	Skarica, Toni (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sault Ste Marie	Martin, Tony (ND)	Willowdale	Young, David (PC)
		Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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Garfield Dunlop, Raminder Gill, Pat Hoy,  
Frances Lankin, David Young  
Clerk / Greffière: Anne Stokes

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**Legislative Assembly  
of Ontario**

First Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 14 December 1999**

**Mardi 14 décembre 1999**



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 December 1999

*The House met at 1330.  
Prayers.*

### ESTIMATES

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** Mr Speaker, I have a message from the Honourable the Lieutenant Governor, signed by her own hand.

**The Speaker (Hon Gary Carr):** The Lieutenant Governor transmits estimates and supplementary estimates of certain sums required for the services of the province for the year ending 31 March 2000 and recommends them to the Legislative Assembly.

### MEMBERS' STATEMENTS

#### LONG-TERM CARE

**Mrs Marie Bountrogianni (Hamilton Mountain):** I want to share with the House excerpts from a letter recently received from one of my constituents, Mr Galen Gannon, a social worker employed by the Hamilton Health Sciences Corp. This letter hopefully puts a real face on the hospital crisis in this province. It focuses on the critical shortage of bed space in long-term-care facilities, LTCFs, and the resulting impact on our most vulnerable citizens, our seniors. Mr Gannon writes:

"Please bear with me while I describe the results of a LTCF bed shortage. Those awaiting placement in a LTCF from the hospital may now expect to wait well over a year before any bed offers come. Many have been waiting up to two years or more. They become more or less permanent residents of the hospital occupying acute care bed space despite the fact that they have no immediate medical concerns. This prevents those who do require acute medical care from gaining admission to the hospital. The media have highlighted numerous occasions where hospital emergency wards have turned ambulances away because they were already full and could not admit anyone upstairs. The lack of LTCFs has backed up the entire health care system. It would make for interesting research to discover what it costs to house people in an acute care setting as opposed to a LTCF. I am sure the waste is staggering. ...

"A great disservice is being rendered to those frail and elderly who await placement in a LTCF from the hospital. Their quality of life is poor.... until the political

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 14 décembre 1999

leaders of this province choose to allocate the resources necessary ... nothing will change.... I am looking for someone who intends to do something about it."

So am I; so are all the citizens of Ontario.

### MILLENNIUM MEMENTO

**Mr Doug Galt (Northumberland):** I rise in the House today to shed some light on the truth behind the Millennium Memento journal. According to the august paper the Cobourg Daily Star, the Liberals in this House are using students to promote their political agenda. Let's set the record straight.

This government has significantly increased classroom spending and invested hundreds of millions into textbooks. Furthermore, the Millennium Memento journal does not come out of the education budget; it was funded by the Ministry of Citizenship, Culture and Recreation.

Despite this, some misguided students came to my office on Friday and dumped several boxes of millennium books, some defaced with profane language and obscene suggestions. Is this the level of political debate the Liberals are promoting for our young people? Shame on you for using children in such a crass example of political opportunism.

Ironically, as soon as the message got out that copies of the millennium book were available, I received numerous requests from media sources, municipal politicians, senior citizens, teachers and students, all wanting copies. They were gone by Friday night.

The Liberals could learn from Sarah Dell, on page 18 of the Millennium Memento, as she tells us that "attitudes are the real disability." Action in the form of ignorance does not cause change, but merely creates enemies.

I extend my best wishes to the talented youth who contributed to the Millennium Memento journal. They must feel a real sense of great pride to know that their work was published for millions of Ontarians to enjoy for years to come.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I seek unanimous consent to give Mr Galt another 90 seconds to continue to trash the young people in his riding.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I heard a no.

1340

### SCHOOL BUS SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** I have in my hand a clipping dated December 11, 1999, from the Pembroke Observer. It was sent to me by the C.F. Vaudry Bus Lines company in Pembroke. It refers to the serious problem of drivers who are endangering the lives of innocent children by illegally passing school buses with their lights flashing. It says, "The local OPP are still receiving reports of motorists running the flashing lights of school buses in the area."

Bus drivers tell me they call it "blow-by," and they are helpless to stop it because Mr Turnbull refuses to give the law teeth. Mr Turnbull says he does not want to give bus drivers police powers, but they already have that right if they can identify the face of the driver. Mr Turnbull refuses to give the law the only mechanism that will convict drivers who pass school buses illegally. Raising fines is not enough to protect children. Your government's bill to raise fines only is a failure. There is no deterrent. Police should not have to beg drivers to heed the law. The job of the government is to protect innocent children, not guilty drivers.

Barbara Vaudry says the problem will not be solved by your legislation. She supports my bill. Lives are at stake, Minister. Pass vehicle liability now, for the sake of all our children here in Ontario.

### GOVERNMENT'S RECORD

**Mr David Young (Willowdale):** Since June 1995, our government has cut taxes 69 times and has announced, most recently, 30 additional tax cuts in the spring budget. We have created over 615,000 net new jobs, accounting for more than half of the new job growth in this country. In November, our unemployment rate fell to 5.6%, the lowest unemployment rate since June 1990.

While these numbers are very impressive, the fact is that to the average citizen in this province they are just numbers. What matters most to people is what is happening in their respective communities. I recently had the opportunity to attend the grand reopening of a Shoppers Drug Mart store in my riding. This reopening was the latest in a long list of businesses that have contributed to the development and revitalization of Willowdale's economy. The growth of business in our community, both big and small, has been phenomenal. This grand reopening reflects the vitality of small businesses in Willowdale.

I also had the opportunity of visiting one of the local YMCAs. The effects of our growing economy are being felt by the Y. The YMCA is now able to provide a greater number of services to the community. In fact, membership is up by 112,000 and the number of financially assisted participants in the Y is down by 3,000. The Y's operating revenue has increased significantly, and so has the number of volunteers.

We are entering the new millennium stronger and more competitive than at any other time in our history. The unemployment rate continues to decline, the job market continues to grow, and people are spending more in our shops.

### MILLENNIUM MEMENTO

**Mr Rick Bartolucci (Sudbury):** We've heard the government read letters from Tory hacks in order to justify this government's wasteful expenditure with regard to the millennium book, but let's hear what people across Ontario are saying.

Let's stop in North Bay first. The editorial in the North Bay Nugget states, "We welcome the initiative shown by students who are demonstrating their opposition by sending the books back to their local MPPs."

The Peterborough Examiner editorial says, "Investing more than \$2 million in glitzy diaries that students don't need at a time when schools are having to cut every corner possible shows that someone either forgot their priorities or made an incredibly dumb choice."

The Elliot Lake Standard editor says, "My Ontario Millennium Memento is simply an opportunity for the Ontario government to use children as pawns and, in this case, 'messengers' of their propaganda, proof that this government has no shame."

These are just a few of the editorials that this project generated. Parents, students and all educational partners cannot believe the skewed priorities of this government. In a recent news poll conducted by MCTV in Sudbury, 84% of the people polled said this project was a waste of money.

The debate is over. This has been a public relations disaster for Mike Harris and he should be ashamed of himself.

### SPECIAL EDUCATION

**Mr David Christopherson (Hamilton West):** I rise to bring to the attention of the government that, regardless of the nice things the Minister of Education wants to say about their funding formula, the fact of the matter is that there are still students, certainly in Hamilton and I suspect all across the province, with special needs who are not able to be in the classroom because there's not enough money.

The Hamilton-Wentworth public school board, to their credit, went out on a limb and spent over half a million dollars above and beyond their budget, knowing that would place them in serious trouble with this government, because that was the only way to get the majority of the 23 students with special needs who couldn't go into the classroom because there weren't enough educational assistants. There are four of those students who are not in the classroom because that money still wasn't enough.

Yet this minister stands up and says: "Oh, I've given you ample money. Everything's fine. Nothing is wrong."



Well, plenty is wrong. Sean Logan is a young man in my riding, who has Tourette's syndrome, who is not able to be in the classroom because the Mike Harris government will not ensure there's enough money to hire the educational assistants required to allow this student to participate in class the way he deserves. I've met his mother, Karen Logan. She's a teacher in her own right. She's doing everything she can, but at the end of the day this government's got to cough up the money needed for our kids with special needs.

### HAYLEY ISAACS

**Mrs Tina R. Molinari (Thornhill):** I rise today to congratulate Hayley Isaacs, a Thornhill student who has recently been awarded the Harmony Movement post-secondary scholarship. The Harmony scholarship is awarded to graduating high school students for promoting harmony among different cultures and religious groups. The Harmony Movement is to foster understanding and promote integration among all communities through participation by everyone in the social, economic and political life of Canada.

While attending Thornhill Secondary School, Hayley was actively involved with the school's multicultural club, Pax, the Latin word for peace. Under her direction, the club worked hard to generate interest among younger grades for the club's goal to increase students' exposure to people of different ethnic origins.

Hayley, who became president of Pax during her OAC year, was instrumental in organizing an equity conference for high school students at Glendon College. Hayley's responsibilities included arranging for a keynote speaker and setting up workshops. The conference was extremely successful and was a catalyst to Hayley being nominated for this award.

Hayley is currently enrolled in an architectural program at the University of Waterloo. I salute Hayley Isaacs for her work with Pax and being awarded the Harmony scholarship. It is people like Hayley who help make not only Thornhill but Ontario a great place to live.

### MILLENNIUM MEMENTO

**Ms Caroline Di Cocco (Sarnia-Lambton):** Student councils from three high schools who represent about 4,000 students, as well as a number of elementary students, have returned thousands of millennium books to my constituency office. These high school and elementary students have clearly articulated that they believe these books were a misuse of taxpayers' dollars.

The Minister of Culture justifies the millennium book as a document that will help our students realize their hopes and dreams for the future. The students, on the other hand, have told me this: At St Christopher's high school, the communications students have been working on a heritage project regarding historical sites and the history of Sarnia-Lambton. They do not have enough money for needed tapes to complete this project. Another

student from St Clair high school told me the money wasted on these books is badly needed for the arts program in her school. The millennium book will not be helping to realize the dreams of these students.

The arts and heritage community in this province has been brutally slashed by this ministry. The Minister of Culture has chosen to waste money that could have been spent on much-needed arts funding. This booklet serves no educational, arts or heritage purpose. The money wasted on this book could have been used for heritage projects in schools.

The message from students and parents in my riding is: Return to sender. All the opposition members agree with this message.

*Interruption.*

1350

**The Speaker (Hon Gary Carr):** Order. I will ask all members—this is the second time this has happened. It's very disruptive.

*Interjections.*

**The Speaker:** Order. I'll handle this, thank you.

This is the second time it's happened. I'm not going to allow it again. This is a disruption of the House. It takes time while the pages move it out. The first time, I wasn't here when it happened. This is the second time. I will not allow it to happen again, and I would ask all members to please co-operate in this regard. We will now wait while we clean it up.

*Interjections.*

**The Speaker:** Order. While we're waiting, I would appreciate it as well if the members don't shout at each other.

*Interjections.*

**The Speaker:** Order, the member for Windsor-St Clair. The member for Windsor-St Clair, come to order while we clean up the mess, please. The member for Willowdale is not helpful in yelling across as well.

**Mr Doug Galt (Northumberland):** Point of order, Mr Speaker: All of these books have been defaced. It's very unfortunate.

**The Speaker:** Order. We're trying to clean up the mess. I would appreciate it if everybody just remained quiet while we do it. You don't need to start anything going back and forth on either side.

Again, I will warn the members, this is the last time. It takes time. The poor pages actually did a great job. They were quicker cleaning up than the members were dropping it. I thank the pages for their extra work, but we can't allow this to continue. It's the second time and it will be the last time.

### TOBERMORY

**Mr Bill Murdoch (Bruce-Grey):** I rise today to tell you about a jewel at the tip of the Bruce Peninsula.

Tobermory is the head of trails for the Bruce Trail, one of the province's most treasured geological features. This harbour town is also known as home of the Big Tub Harbour, the deepest natural harbour on the Great Lakes.

Tobermory shares a strong connection with the Great Lakes. In Big Tub Harbour there are two 19th century shipwrecks which visitors from all over the world can see, either through a diver's mask, through a glass underwater viewing boat, or over the side of a cruise boat.

Tobermory is also the home of the headquarters for the Fathom Five national marine park, which covers and protects all the shipwrecks and islands sprinkled around the top of the Bruce Peninsula. Ships and the great sweetwater seas have played such a key role in the spirit of Tobermory that every year the Bruce Peninsula national park and Fathom Five put on a marine heritage weekend in August.

Little Tub Harbour meanwhile bustles with activity with the ChiCheemaun ferry travelling back and forth between Tobermory and Manitoulin Island, bringing visitors and tourists and providing an important method of transportation during the shipping season.

In Tobermory itself, an exciting array of art galleries, nautical shops, restaurants, pubs and parlours, outfitters and a fish store dot the streets.

Tobermory, a little town with a great marine history.

I just wanted to add something nice to this House because before this, it's been pretty rough.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON JUSTICE AND SOCIAL POLICY

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I beg leave to present a report from the standing committee on justice and social policy and move its adoption.

**Clerk at the Table (Mr Todd Decker):** Your committee begs to report the following bill without amendment:

Bill 22, An Act in memory of Sergeant Rick McDonald to amend the Highway Traffic Act in respect of suspect apprehension pursuits / *Projet de loi 22, Loi commémorant le sergent Rick McDonald et modifiant le Code de la route en ce qui concerne les poursuites en vue d'appréhender des suspects.*

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed.

The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

### MUNICIPALITY OF KINCARDINE ACT, 1999

Mr Murdoch moved first reading of the following bill:

Bill Pr15, An Act to change the name of The Corporation of the Township of Kincardine-Bruce-Tiverton to The Corporation of the Municipality of Kincardine.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

### FRANCHISE DISCLOSURE ACT, 1999

#### LOI DE 1999 SUR LA DIVULGATION RELATIVE AUX FRANCHISES

Mr Runciman moved first reading of the following bill:

Bill 33, An Act to require fair dealing between parties to franchise agreements, to ensure that franchisees have the right to associate and to impose disclosure obligations on franchisors / *Projet de loi 33, Loi obligeant les parties aux contrats de franchisage à agir équitablement, garantissant le droit d'association aux franchisés et imposant des obligations en matière de divulgation aux franchiseurs.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? There was a no.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1358 to 1403.*

**The Speaker:** All those in favour will please rise one at a time to be recognized by the Clerk.

#### Ayes

Agostino, Dominic	Gill, Raminder	Newman, Dan
Arnott, Ted	Gravelle, Michael	O'Toole, John
Baird, John R.	Guzzo, Garry J.	Ouellette, Jerry J.
Barrett, Toby	Hampton, Howard	Palladini, Al
Bartolucci, Rick	Hardeman, Ernie	Parsons, Ernie
Bountrogianni, Marie	Harris, Michael D.	Patten, Richard
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Di Cocco, Caroline	Martin, Tony	Tilson, David
Dombrowsky, Leona	Martiniuk, Gerry	Tsubouchi, David H.
Duncan, Dwight	Maves, Bart	Turnbull, David
Dunlop, Garfield	McLeod, Lyn	Wettlaufer, Wayne
Ecker, Janet	Molinari, Tina R.	Wilson, Jim
Elliott, Brenda	Munro, Julia	Witmer, Elizabeth
Flaherty, Jim	Murdoch, Bill	Wood, Bob
Galt, Doug	Mushinski, Marilyn	Young, David
Gerretsen, John		

**The Speaker:** All those opposed to the motion will please rise one at a time to be recognized by the Clerk.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 88; the nays are 0.

**The Speaker:** I declare the motion carried.

The minister for a short statement.



**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** Franchising is important to the men and women who see a franchise as a way to achieve their dreams of a better tomorrow. This legislation is a result of extensive consultation and will at the end of the day help small business investors make more informed decisions and encourage marketplace fairness. I urge the support of all members of the assembly.

DANGEROUS GOODS  
TRANSPORTATION AMENDMENT ACT  
(NUCLEAR MATERIAL), 1999

LOI DE 1999 AMENDANT LA LOI  
SUR LE TRANSPORT  
DE MATIÈRES DANGEREUSES  
(MATIÈRES NUCLÉAIRES)

Ms Churley moved first reading of the following bill:

Bill 34, An Act to amend the Dangerous Goods Transportation Act to prohibit the transportation of Nuclear Material / *Projet de loi 34, Loi pour amender la Loi sur le transport de matières dangereuses pour interdire le transport de matières nucléaires.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

The member for a short explanation.

**Ms Marilyn Churley (Broadview-Greenwood):** The purpose of this bill is to prevent weapons-grade plutonium in the form of mixed oxide fuel, also known as MOX, and taken from American nuclear bombs, from being transported without notice along the highways of Ontario. If passed, this bill will give the Ontario government legislative authority to stop those shipments, authority they say they don't have.

I would ask for unanimous consent to do second and third reading of this bill today so that we will have this authority.

**The Speaker:** Is there unanimous consent? I heard a no.

1410

MINISTERIAL STATEMENTS

**Mr David Christopherson (Hamilton West):** On a point of order, Mr Speaker: I appreciate the opportunity to make this point of order. You know that both opposition parties have raised with you over this session the trend that the government is less and less providing ministerial statements when they introduce important pieces of legislation. It would be because they don't like the idea that the opposition each has five minutes in order to respond.

I'm rising today to point out to you the absurd point that we've reached in this façade. The standing orders provide under 35,

"(a) A minister of the crown may make a short factual statement relating to government policy, ministry action or other similar matters of which the House should be informed."

It says under standing order 35,

"Opposition comments

"(e) Following ministerial statements a representative or representatives of each of the recognized opposition parties in the House may comment for up to a total of five minutes for each party commencing with the official opposition."

When I arrived in the House today, there was an envelope from the Ministry of Consumer and Commercial Relations addressed to me as House leader in accordance with the standing orders that there are two copies provided to each of the parties. Inside were these statements of the minister regarding the Franchise Disclosure Act, an act, I would point out, that the minister asked and to date, at least to this point, has received unanimous support of this House.

The statement is exactly what was expected to be read. It's here in both languages. I have every reason to believe it has already been circulated to the media. A few moments ago, literally minutes ago, the government House leader stood in front of my desk and said: "The minister's statement is off. It's not going to happen." When I asked him why, his answer to me was, "Why should we?"

My point of order is this: By virtue of the fact that this statement has been issued—it's been labelled as such, it's been handed out to the media, to the best of my knowledge—I am suggesting to you that under 35(a), given the fact that every step except the actual words has been followed by the government for issuing a statement upon introduction of a piece of legislation, that de facto that statement has been made.

I'm asking you, Speaker, to rule and to recognize that that statement has been made. At the very least, it should have been, and the fact that it's here means that it has been. I would ask that you allow the opposition parties an opportunity to respond in kind, as outlined in the standing orders.

**The Speaker (Hon Gary Carr):** Government House leader on the same point of order.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** The proposed statement that members of the opposition had was a very brief statement. It probably would have taken 60 seconds. Later this afternoon, we're going to be debating the municipal restructuring bill. Many members of this Legislature want to speak on that bill. I thought it was in the best interests of members of this Legislature that we spend the 10 or 15 minutes in meaningful debate rather than have people rant in opposition for five minutes on a statement which would have taken 60 seconds,

and use our time usefully that way. As well, Mr Speaker—

*Interjections.*

**The Speaker:** Order. During the points of order, I appreciate it—I cannot hear. Everybody was very quiet for the member for Hamilton West. I'd appreciate if you'd give that courtesy to the government House leader as well so I can hear him.

**Hon Mr Sterling:** As well, Mr Speaker, as you know, we've already had a demonstration by the opposition which occupied another 10 minutes of time here in the Legislature, taking away from the debate we're going to have later this afternoon.

I thought it was in the best interests of our people that we do that.

Getting to the specifics, as the member opposite has said, "A minister of the crown may make," so it is of course the choice of the minister whether or not he makes that statement. Also, the ability of the opposition to respond to a statement is contained in 35(e), which says, "Following ministerial statements," and there has been no statement made.

**The Speaker:** The member for Windsor-St Clair.

**Mr Dwight Duncan (Windsor-St Clair):** I stand in support of what my colleague from Hamilton West has said.

What's particularly troubling about this is again, as he pointed out, we were given a statement and it was treated as a statement. It's part of a larger pattern that we have raised on points of order: first of all, the lack of ministerial statements, which is designed to effectively prevent us from speaking; omnibus bills, which make it difficult for anybody to vote in true conscience on any number of statutes, whether it's Bill 25, Bill 27.

It wasn't long ago that the rules of this House prevented introducing a bill in the last week of sittings in order to allow the opposition, but more importantly the people of the province, to understand what the government is attempting to do. Mr Speaker, we call upon you once again to try and protect this House from a majority government that is bound, bent and determined that the people of the province won't be heard on substantive matters of the day.

**The Speaker:** I thank all the members for the point of order. As you know, the Speaker cannot decide when a minister will or will not make a statement. I will say, however, it is the end of the session. It is my recollection from being here nine years that the way this House works best is when there's give and take on both sides, when there is some give, when there is some take. When we get in entrenched positions, we end up like we are today, with a long period of time dealing with points of order. Up to now it's worked reasonably well, and I would encourage all members, particularly the House leaders, to try to work together over these issues. But it is not a point of order.

## ORAL QUESTIONS

### LIQUOR CONTROL BOARD OF ONTARIO

**Mrs Sandra Pupatello (Windsor West):** My question is for the Premier of Ontario. Yesterday your Minister of Consumer and Commercial Relations defended the behaviour, the work, the pro bono work for a select few, of the chair of the LCBO. His phone number is 864-2519. Apparently this phone number is—

**The Speaker (Hon Gary Carr):** Order. I would ask the member not to show the phone number. It is a demonstration.

**Mrs Pupatello:** Premier, I have to ask you, your minister defended the behaviour of the chair of the LCBO. We know that one of the things that is apparently within the job description of that chair and the secretary of the chair is to take orders for the rarest of wines that come into Ontario in a very limited quantity. Out of that office, a very select few are allowed to call, to use a credit card and order those wines so those people can get them on time. I'd like to know from you if that number should be distributed to all Ontarians so we can all have access to those rarest of wines.

**Hon Michael D. Harris (Premier):** I'm sure the minister can respond.

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** I indicated yesterday with respect to the allegations made by the leader of the official opposition that we had conducted an internal investigation through the ministry, through the deputy minister and an ADM who was personally involved. An internal audit committee has also reviewed the travel of the chair of the board. The ministry could find nothing inappropriate. With respect to the telephone calls to the chair's office, I share the view that that was inappropriate and I've conveyed that to the chair.

**Mrs Pupatello:** We were hoping for an answer from the Premier, because yesterday the minister defended the behaviour. This is the minister of wine and cheese. I want to talk to the Premier about this. What I am asking the Premier is, this is the code of conduct for the LCBO. In the code of conduct it says very specifically—

*Interjections.*

**The Speaker:** Will the member take her seat.

The member may continue now.

**Mrs Pupatello:** It is laughable, but unfortunately we're talking about a \$2-billion organization that is your crown corporation. This is the code of conduct. In the code of conduct it says, "LCBO employees"—that would include the chair—"no gifts, no gratuities from any suppliers." That's what this says. This was written in 1998. Unless this has been changed since then, those are the rules.

I want to know, Premier, if you consider a trip to southern Italy so we can "find out if the product is safe for drinking" is considered a gift. If you don't think that's



a gift, I want to be on your Christmas list, Premier. I want to hear what you have to say about the code of conduct.

**Hon Mr Runciman:** The Minister of Consumer and Commercial Relations is responsible for the Ontario wine industry and I think I can recognize whining when I hear it. I'd just say that the Liquor Control Board of Ontario is a \$2-billion-plus operation in this province, I think the largest of its kind in the world. Certainly travel has always been part of the chair's role in this particular crown corporation.

Mr Brandt has done an outstanding job during his tenure. During Mr Brandt's time in office, the LCBO has outperformed all other Canadian jurisdictions for growth and sales and they've decreased operating costs consistently. Yet they have still challenged nearly 835,000 would-be customers who were thought to be intoxicated or underage, a 22% increase from the year before. He has done an outstanding job and he should be complimented by the official opposition.

1420

**Mrs Papatello:** He's charming, he's witty and he'd make a great salesman. That's the point. The LCBO does not sell products; it buys products. He does not need to have his trips paid for. The whole point of the matter is that the LCBO is the largest buyer of products in the world. If that organization is as profitable as you suggest it is, which it is, it needs to have the appearance of not having a conflict of interest with its suppliers. It needs to have the perception out there that people don't get their product on the list because they wine and dine the chair. You may think it's funny, and it may be cute, but the truth of the matter is that you have a code of conduct in place and the code of conduct was broken.

What, very specifically, will you, on behalf of your Premier, do to ensure that this is done appropriately in this province?

**Hon Mr Runciman:** The member talks about a perception of favouritism. I indicated in the House yesterday, quoting from a number of letters, that there is indeed no perception of favouritism other than among perhaps the editorial writers in the Toronto Star and the official opposition. Even the former Premier of this province, the leader of the Liberal Party of Ontario, indicated his strong confidence in the integrity of Mr Brandt, a man who served this province in an outstanding fashion for over 30 years.

It is indeed unfortunate that the Liberal Party of Ontario and some of their friends will participate in the politics of mudslinging, trying to damage the character of an outstanding resident of this province.

#### ONTARIO REALTY CORP

**Mr Dominic Agostino (Hamilton East):** My question is to the Chair of the Management Board. I want to bring to your attention another sweetheart deal approved by your friend Tony Miele and the Ontario Realty Corp.

A company called All City Storage recently purchased a property at 145 Eastern Avenue in Toronto. The

government had purchased this property for \$11 million 10 years ago. You approved the resale of this property, Minister, in March for \$5 million. The deal was not tendered. The laws in regard to the Expropriations Act were broken. The property was undersold. We know that because the Ontario Realty Corp, among other things, put a clause in the contract that does not allow this property to be resold for 24 months.

Clearly, "undersold" is a common practice in the real estate industry. We know that other companies wanted to pay a significantly higher price for this property, and their bids and approaches were ignored.

In view of all this, Minister, can you tell me why you approved such a sweetheart deal that lost the taxpayers of Ontario \$6 million, and why this property was not tendered in the public market?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** Once again we're witnessing the Liberals' politics of mudslinging. You're using the newspapers to do your research for you and once again you're wrong. It's not true what you said. It was the Liberal government, I'd like to remind this House and any viewers who might be watching this, that got us into this mess in 1988. They made a sweetheart deal with the city of Toronto, guaranteeing over \$300 million needed to expropriate these lands for a housing project that never got built. They guaranteed this money without ever checking the condition of the lands. When it was finally discovered that the lands required flood-proofing and major soil contamination remediation work, the city bailed out, leaving the taxpayers of Ontario on the hook for this fiscal mess.

Contrary to the Globe's article and contrary to your question, the entire property was widely marketed by J.J. Barnicke. It was advertised in a number of newspapers, including the Globe and Mail. J.J. Barnicke undertook a direct-mail campaign involving over 1,500 recipients and sent packages out to any party who expressed an interest in this property. In 1996, the tender period closed and the deal was accepted.

**Mr Agostino:** Minister, let me inform you. You signed this deal through order in council in March 1998 for \$5 million, \$6 million less than it was purchased for—not in 1996. You signed it a few months back. Let me help you with some of the reasons why. We know that this company, All City Storage, through one of its directors and through another control company that they own, donated over \$10,000 to your party. We also know, through a document from the Ministry of Consumer and Commercial Relations, that your good friend, top fundraiser Jeff Lyons, was a founding director and a first treasurer of this company that purchased this deal.

When all this comes together, Minister, do you not understand the public perception problem that is here? Do you not understand that a deal that was not properly tendered and the taxpayers lost \$6 million—that you as minister have a responsibility not to accept this deal? But you went ahead and signed the order in council to approve this deal, which lost taxpayers \$6 million.

Minister, the ORC is out of control. Again, let me ask you: Why would you sign such a deal that so lowballed and undervalued this property, and why did you sign in 1999 without the property being tendered before it was approved?

**Hon Mr Hodgson:** Well, I'm not sure which part the member of the opposition didn't listen to, but the property was tendered. It went out in numerous newspapers in 1996. The reason it didn't close for a long time is because it was conditional on a severance that had to be granted from the city of Toronto. If you had done any kind of research, you would have realized the property was tendered, it was appraised, it was sold to the existing tenant. I could go into details on all the factual errors in the article, and if your research department had done any kind of investigation it would have spotted that as well.

You're maligning the reputation of a number of reputable people in this province, not the least of which is J.J. Barnicke, that marketed this property; not the least of which was the appraisal company that did the appraisal, Rajesky and Associates. This campaign of mudslinging is truly beneath the role of opposition in this province.

**Mr Agostino:** This is now the third deal that we're aware of involving the Ontario Realty Corp, the ORC, in deals that have gone bad. There are two lawsuits in the courts right now. You're aware of that. What the ORC has become is a private club for your friends. This deal, let me repeat, cost the taxpayers \$6 million. It was clear: Public policy once again is up for sale here.

Minister, there are other companies that have come forward and said that it was a bad deal and that they were willing to pay more money. They were not given this opportunity.

You say the deal was closed in 1996. Your appraisal that you quote was not done until 1997. So you closed the deal in 1996 and then you got an appraisal in 1997 to back up the deal that you had closed. That's what you're telling us to believe.

Why won't you start taking responsibility for the actions of the Ontario Realty Corp? Come clean on this. Bring forward to the House all of the documents, including the full appraisal, and explain to us why you would have gone out and received an appraisal on this after you closed the deal, as you claim, in 1996.

**Hon Mr Hodgson:** A little bit of research would have helped you on this. They advertised the property widely, all or in part. The tenders were closed in 1996. The existing tenant wished to buy it. He had the highest offer. To make sure that everything was kosher and above-board, there was an appraisal required. He paid according to the appraisal price, and his highest bid was consistent.

I'm surprised that the Liberals would want to bring up this piece of property after you ripped the Ontario taxpayers off by over \$300 million with one of your boondoggles that you never checked the facts on when you were in government. That is a true waste of taxpayers' dollars, and I'm surprised you are even bringing this issue up.

*Interjections.*

**Interjection:** Why don't you shush?

**The Speaker (Hon Gary Carr):** Just before we continue, whoever is doing the shushing, I'd appreciate if you wouldn't do it. It's very annoying. I will try to maintain order and I would appreciate it, whoever on the government side is doing it, if they would refrain from doing it.

1430

#### MILLENNIUM MEMENTO

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. Your government has squandered over \$3 million printing and couriering these propaganda books to the students of the province. It's backfired on you, because from across the province students, parents, teachers are sending these books back, saying: "We don't want them. When we don't have the textbooks we need in our classroom, we don't want them."

These particular books come from high school students at Humberside Collegiate, and I want to read some of the messages:

"Mr Harris, if you truly cared about shaping the future to make it a good one, you would put taxpayers' dollars back into education." Or this one: "Mike, you've wasted precious dollars on something that we will never use or need. We need more money in the education system." Or this one: "I'm disgusted by the obvious waste of taxpayers' dollars." Or this one: "Why are you in your position if you don't know how to spend money? I'm disgusted." Or this one: "We could use the large amount of money towards textbooks or hospital beds."

Premier, how do you justify spending \$3 million of taxpayers' money on this, when these same students don't have the science and—

**The Speaker (Hon Gary Carr):** Order. The member's time is up.

**Hon Michael D. Harris (Premier):** The Minister of Citizenship, Culture and Recreation will respond.

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** Let me first say that this number keeps getting bigger in everybody's mind every day we come into the House. As I've said quite clearly, the cost of production of this book is 98 cents per student. The total cost of distribution is \$1.10, with distribution and costs associated with it.

**Interjection:** For the book.

**Hon Mrs Johns:** For the book. I think it's very important to recognize that this book talks about the hopes and the dreams of the students of Ontario. It talks about their vision of where the province should be in the year 2020. As a parent of young children, I think it's very important for children to write down stories, to be able to do poems, to be able to do songs, and have them published.

We have a number of students who have written saying what a great opportunity this book was and how



pleased they were to be a part of sharing the millennium in the province of Ontario.

1430

**Mr Hampton:** The students will note that the Premier didn't want to answer their questions and I think the students would want me to read the response to the minister who did reply. The response from them is: "Dear Mike, Don't worry about the fact that half of my textbooks are 30 plus years old and falling apart." The next reply is, "Our geography class only has 14 books for 30 students." The next reply is, "There are schools that don't even have music programs, drama programs etc." The next, "I was just informed that funding for sports might be cut by two thirds, which means that sports will not be available to students in public schools." The next: "Does this mean no sports teams next year?" The next: "I am very concerned over the province's decision to raise tuition fees."

Minister, you can tell people that they only cost a buck apiece. The fact of the matter is that you wasted \$3 million on propaganda nonsense when these very students don't have the textbooks they need. What are you going to do about it, send out more propaganda or admit it was wrong and fix it?

**Hon Mrs Johns:** There is a quote in the Kingston Whig-Standard where it says, "Booklet not a waste, says teen." That's the title and it says: "This is a very important book. Kids need to share their ideas ... so we may not be so scared to share them when we are older." This article also says: "Children rarely get to air their views publicly because they're not in positions of power or influence, she said. This, however, is a rare chance, she said. And the world of adults should give it to them. 'Kids need to share their points of view. We may be kids right now, but eventually we'll have your jobs ... and you are not going to be in charge any more.'"

Let me say to the opposition about this millennium vision that we're losing sight of this. This book was for kids to be able to share their vision of the future. This is a great opportunity for kids.

**Mr Hampton:** While this government talks about sharing their vision, these students complain that they have to share textbooks because they don't have enough.

I want to read another response from one of the students. "You should be more considerate and think of the well-being of the students, not making yourself look good." Or this, from another student, "I feel that the manner in which you exploited innocent children is disgraceful!" Or this: "Thanks for wasting all that money from our education funds. I'm proud of you, man. What next?" Or this one: "How can you make cutbacks to our education when you are publishing this? Things need to change." This student writes, "Stop insulting our intelligence." This student writes, "Thank you for wasting our money while schools are suffering."

My question is to the Premier again. This was a colossal mistake to spend \$3 million on this nonsense when students don't have the textbooks they need. What are

you going to do about it, Premier? How and when are you going to put an end to this waste?

**Hon Mrs Johns:** Let me just clarify the facts. First of all, not one education dollar was spent on this book. Let me also clarify the fact that for sports and recreation in the Ministry of Citizenship, Culture and Recreation, not one dollar was in any way changed in the previous budget. Let me also make it very clear that in my hand I have 16,649 requests for new copies of this book because they believe it's important for the students of the province.

I don't know why the two opposition parties are making such a hoopla about this. This is so important for the students of Ontario for them to understand and to talk about their vision of 2020. My Ontario includes kids. I don't know what's happened with them.

**The Speaker:** New question, the leader of the third party.

**Mr Hampton:** My next question is also for the Premier.

I would just say to the minister, you clearly need to start listening to the students of the province.

**Hon Mrs Johns:** On a point of order, Speaker: Let me say that I am very concerned about the students of the province. I care deeply. My own kids are students in the province.

#### LIQUOR CONTROL BOARD OF ONTARIO

**Mr Howard Hampton (Kenora-Rainy River):** Premier, yesterday we asked the Minister of Consumer and Commercial Relations if he was concerned about the allegations regarding Mr Brandt at the Liquor Control Board of Ontario. The minister said to us that he thought it was sufficient that the deputy minister conducted a one-day review of all these allegations. He thinks it is sufficient that the deputy minister, who has a direct relationship with Mr Brandt, can conduct a quick one-day review.

Premier, in view of the allegations of kickback, in view of the allegations of breach of the code of conduct, in view of the other serious allegations that were brought, is it your view that a one-day quick review by a deputy minister who has a direct relationship with Mr Brandt is sufficient?

**Hon Michael D. Harris (Premier):** I think the minister can respond.

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** This is another example of distortion of the facts. I never indicated a one-day review. In fact, the review took place over a period of several weeks by an assistant deputy minister within the ministry, a very extensive and thorough review. It also involved the internal audit committee and the board of directors of the LCBO, who reviewed all of the expenditure items in question. As I indicated in my responses yesterday, they found nothing wrong.

We have indicated an interest with respect to some changes related to some policies and procedures in terms

of accountability and transparency. But as I indicated yesterday, I reiterate that Mr Brandt did nothing wrong; he fully conformed with the policies and procedures of the board.

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**Mr Hampton:** Some would believe that Mr Brandt is the biggest bootlegger in the province. I don't believe that. What I'm concerned about is that you're changing your story from yesterday. Yesterday you said, "Upon hearing of these allegations and the investigation—I think we can characterize it as an investigation—by the Toronto Star, I did ask my deputy minister to investigate what the Star was suggesting had occurred." So yesterday your story was that the Toronto Star article appeared on Saturday and then you asked the deputy minister. Now you're telling us that you started doing this investigation work weeks ago. This is precisely why I put the question.

You may like Mr Brandt. I may in fact like Mr Brandt. That's not the issue. The issue here is this: First you tell us the deputy minister did the investigation. First you tell us that it was done following the Toronto Star article. Now you say this was done weeks ago.

Mr Brandt has intimate, close, long-lasting relations with many members of your bureaucracy, many members of this government. I think you owe it to the people of Ontario to hold an independent investigation—

**The Speaker (Hon Gary Carr):** The member's time is up.

**Hon Mr Runciman:** What I think is that the leader of the third party owes Mr Brandt an apology and owes this assembly an apology. That kind of language is one of the reasons the public are quite cynical about politicians generally, because of that sort of an assertion which has no basis in fact.

In fact, in the press scrum I clearly indicated that when I was made aware of these allegations in mid-October I immediately asked the deputy to instigate an investigation, which was carried out. I said during the scrum that I had a report back in early December. This was an investigation conducted over a month and a half. For this member to make this kind of an allegation again is scurrilous, to say the least, and it's truly unfortunate that this kind of dialogue is occurring in this assembly.

#### EMERGENCY SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. Last week, the Premier said that sending emergency patients from one hospital to another was not such a bad thing. So yesterday you decided to make emergency redirect a permanent fact of life in Mike Harris's Ontario. Instead of fixing the problem of emergency rooms, you've decided that you're going to order one hospital in each region of Toronto to stay open, and so ambulances are going to have to keep driving by the nearest available hospital because that emergency room will still be closed, with your permission.

*Interjections.*

**Mrs McLeod:** I'm wondering what happens if not even one hospital in the—

**The Speaker (Hon Gary Carr):** I can't continue with the members who asked the last question continuing with the last question. Their time is up. There's a new member asking a question. I would appreciate it if you would give quiet for the member.

**Mrs McLeod:** Minister, I find myself wondering what will happen if there's not one hospital, in one region, in the city of Toronto that has a bed to take emergency room patients. What are you telling them to do when you're ordering them to keep one hospital open? Are you suggesting that they keep tents open on the front lawn to take patients if there are no hospital beds for them? You can't order a solution to this crisis. You have to provide the hospital beds so that people can get care. Why do you keep avoiding taking such obviously needed action?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** I'm certainly very sorry that the member is misrepresenting the truth of—

**The Speaker:** I would ask all members: We're getting towards the end of the session and each day it keeps getting worse and worse and worse with the language. Today, I missed one with the Chair of Management Board, one for the third party. I'm going to listen very carefully. The Minister of Health cannot say that; I would ask her to withdraw it.

**Hon Mrs Witmer:** I would certainly withdraw that, Mr Speaker.

The facts, as they have been presented, are that no one has ordered any hospital to do anything. There was a meeting yesterday between the Ministry of Health officials and the hospitals and CritiCall. At that time, the partners all indicated their desire to take whatever steps were possible in order to ensure that people had access to the emergency rooms, much in the same way as we have been doing now for the last several years. At that point in time, a suggestion was put forward that we would look at these clusters.

Tomorrow we will continue to meet and we will further develop a plan of action which will ensure that there is continued improved access, much as we have been providing. It's unfortunate that this situation wasn't dealt with by the Liberals—

**The Speaker:** The minister's time is up.

**Mrs McLeod:** I would ask the minister to stop misrepresenting the extent of this crisis and start accepting some responsibility.

**The Speaker:** Order. No, we're not going to continue with this. I would ask the member to please withdraw that as well.

**Mrs McLeod:** I'll withdraw that you're misrepresenting.

The minister has to understand the extent of the crisis and accept some responsibility for resolving what is a very life-threatening situation across this province.

Mr William Bruciak died in the back of an ambulance yesterday. The hospital that would have been the closest place for the ambulance to take him wasn't available



because your restructuring commission had already shut it down. The next-nearest hospital was on critical care bypass. It couldn't take him even though he was at the point of death. Mr Bruciak's family will never know whether he would have had a chance if he had been able to get into a hospital sooner.

Now you are saying quite clearly, with this regional plan, that taking critically ill patients to a more distant hospital is going to be accepted as normal. You're building it right into the system. Your commission shut down emergency rooms across the province and you are basically shutting down even more. You're telling us the solution is to have one emergency room open in each region.

Mr Bruciak's family would probably tell you that isn't good enough. I want you to tell Mr Bruciak's family how long and how far you think it's OK to go to get care in Mike Harris's Ontario.

**Hon Mrs Witmer:** I would just remind the member across the way that no proposal has been thoroughly developed. As the member well knows, this has been a pressure ever since such Liberal headlines as these: "No Room in Metro: Critically Ill Newborn Flown to Buffalo"—1988; "Triplets' Mom Flown to Kingston"—1988; "Diverted from Two Hospitals: Woman Dies"—

*Interjections.*

**The Speaker:** Order. Would the minister take her seat. I can't continue when three, four, sometimes five members are shouting at the Minister of Health. I can't continue if that happens.

Minister.

**Hon Mrs Witmer:** We were the very first government to recognize that the issue of emergency rooms needed to be dealt with. As you know, we set up an emergency room task force. They made recommendations; we responded to every one. We made \$225 million available. We increased the capacity of beds within the hospital system. We made money available for community services. We expanded the number of long-term-care beds in Ontario. We've expanded the capacity within the rural emergency system. We have taken significant steps—

**The Speaker:** The minister's time is up.

## HIGHWAY 7

**Mr Ted Arnott (Waterloo-Wellington):** My question is to my honourable friend the Minister of Transportation. I hope he hears the question. It concerns the proposed rebuilding of Highway 7 between Kitchener and Guelph, through Waterloo-Wellington.

When it comes to highway development, Ontario will only continue to prosper if we plan for growth, consult with those concerned and invest in the kinds of roads we need for the future. At present, this stretch of Highway 7 is extremely congested and unable to handle any increase in traffic. In short, my constituents tell me that Highway 7 urgently needs to be rebuilt. Will you update the House as to what action the province is taking to address this need?

**Hon David Turnbull (Minister of Transportation):** I certainly share the concerns of my good friend on this issue. We need to help the growth in this area. Let me remind all members that at the time we inherited the government, we inherited two deficits: a fiscal deficit and an infrastructure deficit. We've been working hard to eliminate both of these deficits.

The recommended plan for the new Highway 7 alignment between Kitchener and Guelph would be north of and parallel with the existing Highway 7. In response to local concerns by municipal leaders, my predecessor in January of this year directed ministry staff to review the alignment. In view of this, we are at this moment underway with this review.

**Mr Arnott:** I thank the minister for that answer. I want to state that I am very much in favour of ensuring that a new alignment is as safe and environmentally sound as possible. I also support the consultation that is taking place to ensure that everyone's views will be given all due consideration. However, the minister knows that the rural eastbound section of Highway 7 through Woolwich township is at its full capacity right now. The gridlock is spreading rapidly into the other sections of the existing corridor.

Would you provide my constituents in Kitchener and Waterloo region with timelines for consultation and its review, and expedite the process to ensure that the new Highway 7 is built as soon as possible?

**Hon Mr Turnbull:** Once again I would thank my honourable friend. In January we will consult with stakeholders through a series of workshops. We'll meet with local landowners and make presentations to municipal councils as well as holding public information sessions.

We're committed to resolving the issues related to Highway 7. We will continue to build roads to prosperity in this province.

1450

## EDUCATION FUNDING

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** My question is to the Minister of Education. The minister will know that there is a real and ongoing sense of grievance among the students and ratepayers of the Renfrew County Board of Education on the fact that under the new education funding formula Renfrew county, the largest county in the province, has a public school board that doesn't qualify for one red cent of funding under the so-called rural and remote factor, while public school boards in places like North Bay, Belleville, Kingston and Lindsay qualify for millions of dollars on that account.

Can the minister tell my people, my ratepayers to the public school board in Renfrew, when she intends to change this clearly unfair and intolerable situation?

**Hon Janet Ecker (Minister of Education):** Yes, the honourable member raised this issue with me and argued the case for his board most forcefully. It is an issue that seems to be impacting some rural boards in a way that is

not appropriate. We recognize that a rural board that may have a sparser population and greater geographic distances requires additional funding. Actually, across the province we have doubled the amount of funding that is available for those rural boards. In this case, unfortunately this board has not qualified. It is an issue that we recognize needs to be addressed. We are looking at that. I can't give the honourable member a firm day or deadline. My assumption would be that at this point it looks like it will be addressed in the normal grant regulation process as we move forward.

I appreciate the information the member has brought forward. It has been quite helpful for the civil servants as they look at things that need to be addressed in the upcoming year.

**Mr Conway:** I appreciate the minister's response. Let me be more specific. The North Bay-Parry Sound public school board qualifies for approximately \$2.5 million on the so-called rural and remote funding formula line. I'm not going to argue that they're not entitled to a fair deal. But the Renfrew county public school board represents a larger geographic area and, I repeat, they get not one red cent. It is a matter of political will that this transparent unfairness that impacts so negatively on the thousands of students and staff and parents of the Renfrew county public school board be changed, and changed now.

Can the minister tell the students, staff and ratepayers to the Renfrew county public school board that not another year will pass without a change that will give the public school board in Renfrew at least the same kind of consideration that their friends, relatives and neighbours in North Bay and Parry Sound have been receiving for months?

**Hon Mrs Ecker:** I'd like to remind the honourable member that the Kingston board that his colleague John Gerretsen represents also qualifies for the rural funding because we have set up a funding mechanism that has laid out very clear criteria. It is done in a way to be non-partisan, to be objective, to be fair to all the boards. We understand that for this particular board the way those criteria have been laid out, there are some difficulties. We need to take a look at that to see if we can address it.

I would also like to say to the honourable member that both boards have been working very much together. They have a number of joint projects which have saved them considerable monies. That kind of co-operation is a model that I think other boards should be following, because it allows them to do more things for their students.

It is an issue that we are looking at. I cannot give him a promise or an announcement today, but I understand that it is something we need to address.

#### NURSE PRACTITIONERS

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** My question is to the Minister of Health. Rural and northern Ontario have continued to experience a lack of medical practitioners for their communities. In rural

Ontario, residents are asking for quality accessible primary health care, which is difficult to provide at times. I believe that nurse practitioners would alleviate some of these pressures. For example, my riding of Dufferin-Peel-Wellington-Grey is designated underserved for general practitioners in a whole slew of areas: the town of Shelburne, the town of Orangeville, the town of Caledon, East Luther, Grand Valley, East Garafraxa, the town of Erin and the town of Mount Forest.

My constituents are very interested in accessing the services of nurse practitioners. I would ask the minister to give us an update as to her progress in addressing this issue.

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** Since we passed the nurse practitioner legislation in 1998, we have certainly been putting money forward to improve the access to primary care throughout the province. We were very pleased to make available \$10 million; that was enough to fund 106 nurse practitioner positions. We then provided an additional \$5 million, which will provide funding to 120 nurse practitioners. Again, it enables nurse practitioners to go into hard-to-serve, underserved areas.

I'm also very pleased to say that at the present time we have issued a request for proposals to hire 80 more nurse practitioners for the underserved areas such as the ones in the member's riding. Those proposals are now being evaluated and we hope to make an announcement in the very near future.

**Mr Tilson:** Each year the federal government has cut \$2.8 billion from Ontario transfer payments. Most of this is with respect to health care, and rural Ontario specifically is suffering from these federal cuts. I believe that part of the solution to this issue is that nurse practitioners will help to alleviate these pressures felt in rural Ontario. What is your ministry doing to resolve this situation for both the short and the long term?

**Hon Mrs Witmer:** We would very much appreciate if the federal government would restore all of the transfers they have removed from the province of Ontario and every other province and territory in Canada. Unfortunately, not only have they not restored this funding, they haven't taken into consideration the fact that inflation has meant that we need to spend additional dollars on health, as our government has continued to do, to meet the demands of people.

I'm very pleased to say that when we take a look at providing greater access to primary care services throughout the province of Ontario, we will be making more nurse practitioners available in long-term-care facilities; there will be an additional 20. We're also going to be issuing another request for proposals for aboriginal areas in the province and also for the primary care pilot sites. We in this province are going to continue to ensure that we increase the health spending as we have promised, to make sure people have access to nurse practitioners.



## WATER EXTRACTION

**Ms Marilyn Churley (Broadview-Greenwood):** My question is to the Minister of the Environment. As soon as the election was over, you lifted the moratorium on permits to take water, you refused to freeze development on the Oak Ridges moraine, and you boast that "Every single drop of water that is required to be taken out based on a proposal, like for housing, has to be scientifically proved that it can be replenished." But a developer putting up five new houses doesn't need a permit. Someone taking up to 50,000 litres a day—and that's 36 million of these half-litre bottles of water a year—doesn't need a permit. And for those who get your new permits, some of which now last for five and 10 years, you just take their word for how much water they actually remove. Minister, do you even know how much water is being taken out of the ground in Ontario?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** As I hope the honourable member knows, we have had difficulty, because of the budget cuts they imposed on the Ministry of the Environment, to get a handle on these issues. When we inherited that ministry, the situation was that they didn't have an idea about the very question she wants answered. If the honourable member can dig deep into her institutional memory, perhaps she can help in answering that question for us.

1500

**Ms Churley:** Mr Speaker, I don't want to go there. He has cut so much out of the Ministry of the Environment, I cannot believe that he could stand there and make an excuse when we're talking about something as important as water in Ontario.

Minister, regulation 2/85 says that a director, deciding whether or not to issue a permit to take water, doesn't have to consider "whether it is in the public interest to grant the permit," and where the regulation says, "They shall consider the protection of the natural function of the ecosystem," they can't do it. One of your own directors says: "The permit-to-take-water manual does not incorporate these sections. Therefore it is submitted that the ecosystem approach has yet to be specifically incorporated into the permit to take water."

Your own colleague the Minister of Energy said on November 20, "There are no good laws to protect groundwater."

Minister, you've had seven months. You have boasted about it in this House. Why isn't the new manual ready? Why are you leaving your directors without the tools your regulation says they need to protect the ecosystem? Admit, Minister, that your Minister of Energy is right and you're wrong. Admit it today.

**Hon Mr Clement:** I just want to say for the record that we have done more in the seven months to protect groundwater in this province than they did in their five-year period.

We are very proud of our record, because we are initiating the studies to find out what the groundwater is, we

are tightening up on the permits-to-take-water system, we are seeking partnership with the conservation authorities to make sure that we are managing this very scarce resource in the best possible way.

We are very proud of that record because it is under this government that finally we are taking a look at the quantity of water available as well as the quality of groundwater that's available. That is a new trend in this province. It was initiated by this government under our ministry and we are proud of that record. We will put that record of seven months up against their record of five years any day of the week.

## NORTHERN HEALTH TRAVEL GRANT

**Mr Michael Gravelle (Thunder Bay-Superior North):** My question is for the Minister of Health. As you well know, the northern Ontario health travel grant was put in place in 1987 to help defray the expenses of people in northern Ontario who were forced to receive medical care outside their own communities. Since that time there have been no substantial improvements to the program despite the fact that all costs associated with travel have escalated dramatically.

The number of families that have faced financial ruin as a result of the inadequacy of this program is both tragic and wrong. It is for that reason that my colleague from Thunder Bay-Atikokan and I launched a campaign this fall to persuade the government to recognize the need to increase the funding presently in the program. I have thousands of signatures on petitions on my desk as well as resolutions of support from almost all the municipalities in northwestern Ontario calling on the government to act.

The question to you, Minister, is this: Will you today acknowledge that the program is underfunded and will you agree to at least initiate a thorough review of the fairness of this program in terms of 1999-2000 financial realities and needs?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** Yes, I know that the member opposite has spoken to me about this particular issue, the northern health travel grant. This was a program that was introduced by the Liberal government in 1985. At the present time the process that is used is the same as existed at that time; also, the same formula is still in place. It was always intended to assist with travel costs to the nearest specialist or the nearest health facility in Ontario or Manitoba.

There actually was a review done in 1988 by the Centre for Rural and Northern Health Research at Laurentian University and it was determined at that time that the program was meeting its policy objectives and it was appropriately utilized.

**Mr Gravelle:** It just simply is remarkably inadequate and it's a tragedy what's happening with so many people in northern Ontario who truly are facing financial ruin, let alone the stress they're going through as a result of the medical emergencies.

Besides the horrendous funding shortfall in the program, there's also a real need to make it more flexible so that families are not forced to go through hoops to get approvals for travel, let alone approvals to accompany their loved ones to Toronto or elsewhere.

I spoke recently to Mr Butch Carroll and his wife, Judy, both constituents of mine, about the ordeal they went through with their daughter, Erin, as she fought and tragically lost her battle with cancer. They certainly spent countless thousands of dollars with their 13 trips to Toronto. But what frustrated Mrs Carroll perhaps the most, and Minister I want you to hear this, was the aggravation and frustration in simply accessing the program.

Minister, in light of what you've just said, will you at least look at making the program more sensitive to people often going through incredibly difficult circumstances so that people like the Carrolls do not face all that extraordinary extra aggravation while they are focusing on the health care needs of their loved ones? Will you at least review it in that context for flexibility and, again, recognizing the need for more funding for the program?

**Hon Mrs Witmer:** Yes, I know the member is concerned and I think we all share concern for people during times of illness. I will ensure that all issues that are dealt with are dealt with in a sensitive manner. I would certainly be prepared to do that.

#### GRAPE AND WINE INDUSTRY

**Mr Doug Galt (Northumberland):** My question is to the Minister of Consumer and Commercial Relations. Most Ontarians recognize places like the Niagara Peninsula and Pelee Island as established grape-growing regions in Ontario. Many people, however, do not realize that the area around Prince Edward county in eastern Ontario is also producing some of the province's most outstanding wine.

When I met with viticulturists from this region, they were very concerned that while they are allowed to sell wine to the LCBO for retail sale in Ontario, they are not permitted to sell directly to the public through on-site retail outlets, as other wineries in Ontario are allowed to do. Selling wine made on the premises directly to consumers is a critical part of making these fledgling businesses fly, so to speak. Minister, what steps do these wineries need to take to get permission for on-site retail stores?

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** Our government has a track record of working with the grape and wine industry to ensure fairness and prosperity, and we will continue to do so.

There are two steps that a vineyard must take to obtain a wine retail store. The proposed area must be a designated viticultural area, or DVA, as determined by the rules and regulations of the Vintners Quality Alliance. To get the designation the area must either have 200 hectares, or 495 acres, of wine-growing vines but be recog-

nized by the VQA to produce wines that are distinct to that particular geographic region. The second step is to obtain a licence from the LCBO for an on-site retail store, and to be eligible to obtain that licence wineries must be located in a DVA and must cultivate at least five hectares of vines.

**Mr Galt:** Thank you, Minister, for explaining the process for setting up wine retail stores. But as you said, the issue here is fairness and prosperity. In the case of these developing businesses, the rules governing on-site wine stores are not necessarily conducive to building the wine industry in eastern Ontario. Minister, what can the government do to help these budding wineries get the opportunities they need to grow?

**Hon Mr Runciman:** This government will not be a barrier to economic growth. There are two options for addressing the concerns of Prince Edward county's grape-growers. The government is working with the newly established VQA Ontario in drafting bylaws and regulations that will make the organization fully functional and we will urge them to carefully look at the rules for establishing DVAs.

The second option involves changing the LCBO policy requiring DVA status in order to be eligible to set up an on-site store. This policy could be revisited when the LCBO's licensing powers are transferred to the Alcohol and Gaming Commission of Ontario.

The government will look at both available options to deal with this situation in as timely a manner as possible.

1510

#### RIVERBANK EROSION

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a question for the Minister of Natural Resources. I have a constituent, Mr John C. Young of Goulais River, 52 Bye Side Road. Mr Young is an 80-year-old veteran of World War II who is a pensioner. His house is about to slide down a large embankment into the Goulais River. Your ministry has not permitted Mr Young, who has been attempting for over 10 years to get a work permit, to keep the erosion from the Goulais River from eroding the bank, has not permitted him to. Minister, I'm asking you to help Mr Young.

**Hon John Snobelen (Minister of Natural Resources):** I thank the member opposite for bringing that matter to my attention. If he'd send the matter over to me, I'd be more than happy to take it up with my officials.

**Mr Brown:** Minister, I'll send you over a photocopy of the situation. I have stood on the deck of Mr Young's home. If action had been taken some time ago, Mr Young would have been able to pay to make sure that the bank was stable. The ministry has kept that from happening. Mr Young's home is literally going to slide down this embankment. I've stood on the bank. It is a very dangerous situation. It is going to affect not only Mr Young but the access road behind it, which will affect several other residents of the area.



I ask the minister on behalf of Mr Young, will you fix this problem so that Mr Young can live in his home until he no longer requires that residence?

**Hon Mr Snobelen:** Again I thank the member for bringing this matter to my attention on behalf of his constituent. I'm sure it's a very serious matter for his constituent. I'll make sure the officials in the Ministry of Natural Resources look into that and will respond to your office as quickly as I get some details.

### INVESTMENT IN ONTARIO

**Mrs Tina R. Molinari (Thornhill):** My question is for my dear friend, who was also my MPP before the restructuring, the Minister of Economic Development and Trade. We ran on the platform that our government would not infringe on this province's business ability to thrive in Ontario. Instead we recognized that our role was to create the necessary economic climate through the reduction of taxes and removal of red tape to allow businesses across Ontario the opportunity to succeed.

I had the pleasure of hosting a delegation of municipal politicians from Italy this summer who were looking for expansion in business opportunities in Ontario. What services does your Ministry of Economic Development and Trade offer to both retain and attract business in Ontario?

**Hon Al Palladini (Minister of Economic Development and Trade):** I want to thank my good friend the member from Thornhill for the question. The key investment account program was started within our ministry just over a year ago to bridge a communication gap that was lacking with larger Ontario companies. Prior to its inception, our ministry had no real direct contact program to deliver competitive messages that larger companies in Ontario are better off expanding right here in our own province.

The program's mission is to have regular meetings with approximately 500 Ontario-based and major multinational corporations to ensure they are aware of Ontario's competitive advantage and will consider future expansion right here in our province. In fact, as of last month, our key investment account program has met with 300 different companies across the province and we're on target to meet our ambitious goal of 500 to ensure that more jobs are going to be created in our province.

**Mrs Molinari:** I understand the NDP shut down all our foreign trade offices during their time in office.

#### *Interjections.*

**Mrs Molinari:** Yes, they did. I can't help but wonder if we're not falling off the radar screen internationally as a result of these closures. I've heard you say that you'll get on a boat, a plane or a train to bring jobs to Ontario. Since investment is so powerful in creating the economic strength of our province, should we not be spending more of our time and effort in attracting new companies from abroad to invest in Ontario?

**Hon Mr Palladini:** While we need to keep attracting investors to Ontario from abroad, which I think is very

important, we also need to cultivate businesses that are growing right here in Ontario. It is estimated that 75% of new investments in Ontario come from already existing companies, proving that—one of the things I learned a long time ago—good customer service creates repeat customers.

Our key account managers ensure that we build relationships with these companies and provide them with the information they need when expanding their operations and their workforce. These outreach activities by our investment staff have resulted in \$715 million in new business investments in our province and 1,405 new full-time jobs. In fact, one of the largest investment firms since our program began is the new IBM software—

**The Speaker (Hon Gary Carr):** Order. The member's time is up.

### CHILD CARE

**Mr Tony Martin (Sault Ste Marie):** My question is for the Minister of Community and Social Services. The municipally run daycare centre in Elliot Lake is closing down. We warned you that your child care download would close daycare centres. This centre in Elliot Lake is only the first municipally run centre to close. We told you that your most recent \$25-million download was the last nail in the coffin. You've taken away the ability of municipalities to raise the 20% start-up funds that force you to match with the remaining 80%. You've actually saved yourself \$100 million in the most despicable of ways. Municipalities already crushed under your downloading schemes are going to be forced to shut down child care centres all across this province.

Do the right thing, Minister, and restore child care funds so that Elliot Lake and communities across this province don't wake up tomorrow to find out that their daycare centre is closing down.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** This government is spending more supporting parents providing child care for their children than any government in Ontario's history. We'll spend more than \$738 million supporting child care in the province of Ontario. That's something we're tremendously proud of. We provide a whole host of child care support.

I want to assure the honourable member that absolutely nothing in the program review announcement with respect to our local services realignment needs to see one single child care space lost in the province of Ontario—not one single space. The honourable member would be well advised to look at the record of this government in providing support for child care. It's a record amount. It's substantially more than his government provided for child care.

### NOTICE OF DISSATISFACTION

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** On a point of order, Mr Speaker: I wanted to serve notice

under standing order 37(e) that I will be filing my dissatisfaction with the answer of the Minister of Health to my earlier question and seeking a late show.

## PETITIONS

### MEDICAL LABORATORIES

**Mr Monte Kwinter (York Centre):** I have a petition to the Parliament of Ontario.

"Whereas the Ontario government has recently imposed a retroactive cap on revenue earned by medical laboratories for services provided under the health insurance plan; and

"Whereas the Ontario government has also required these businesses to refund revenue for services rendered in previous years where the amount of that revenue exceeds the retroactively imposed cap for those years; and

"Whereas this legislation amounts to expropriation of economic rights without adequate compensation or due process of law; and

"Whereas the greatest incentive to the provision of efficient and quality services and products by the private sector is competition and the ability to make a profit; and

"Whereas the removal of these incentives by government negatively affects all of society and particularly patients in need; and

"Whereas this type of legislation also unfairly discriminates against one sector of the society;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That adequate protection of property rights is needed to ensure that government cannot erode the property rights of certain sectors of society without fair compensation and due process of law."

I've affixed my signature to it.

### NOTICE OF DISSATISFACTION

**Mr Tony Martin (Sault Ste Marie):** On a point of order, Mr Speaker: I want to indicate that I wasn't satisfied with the answer to the question I just asked the Minister of Community and Social Services, so I'll be filing the appropriate paperwork to ask for a late show.

1520

### KARLA HOMOLKA

**Mr John O'Toole (Durham):** It's my privilege to rise and present a petition to the Legislative Assembly of Ontario. I might add, for the record, that the member for Scarborough Centre, Ms Mushinski, has brought this to the attention of all members of the House.

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves all her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I am pleased to support this and add my name to those petitioning.

### MILLENNIUM MEMENTO

**Mr Gerry Phillips (Scarborough-Agincourt):** I have a petition from the students at Porter Collegiate in Scarborough.

"To the Legislative Assembly of Ontario:

"Whereas the government of Ontario continues to cut millions in funding from the educational system and ultimately is the sole cause of the myriad of disturbances to the public education system,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Given that the government of Ontario has little idea of how to effectively and competently administer public funds, we, the student body at W.A. Porter Collegiate Institute, are demanding that the government of Ontario desist in their endeavours to callously spend money in areas not relevant to our in-class learning, namely, the recent distribution of millennium mementoes.

"Let it be known that we feel these mementoes are a waste of valuable resources. Rather, we would have liked to have had the opportunity to see the money spent in the education system where you've cut millions, completely disregarding our needs as students in the public education system."

That's signed by a large number of students from W.A. Porter Collegiate, and I'll attach my signature as well.

### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael Gravelle (Thunder Bay-Superior North):** The issue of a northern health travel grant and its



inadequacy is a major issue. Petitions keep coming in, signatures by the thousands.

"To the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

I have thousands of signatures. Many seniors' clubs in my riding have sent these in, as well as everybody from across northwestern Ontario. I am proud to sign my name to this.

#### DOCTOR SHORTAGE

**Mr James J. Bradley (St Catharines):** I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas patients requiring eye care in Niagara are faced with a shortage of ophthalmologists and as a result, are compelled to wait several weeks to secure an appointment with an ophthalmologist;

"Whereas, while the shortage of ophthalmologists is in existence, the removal of the billing cap on these medical specialists provides a temporary but essential easing of the health care crisis;

"Whereas the solution of the Ontario Ministry of Health removing the exemptions from the billing cap and forcing patients from Niagara to travel along the very busy Queen Elizabeth Highway to receive treatment in Hamilton;

"Be it therefore resolved that the Ontario Ministry of Health remove the cap on billing for ophthalmologists in Niagara until such time as Niagara is no longer an underserved area."

I affix my signature as I am in complete agreement.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I have a petition to the Legislative Assembly, again coming in from the Canadian Auto Workers. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances (carcinogens);

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

On behalf of my NDP colleagues, I add my name to those of these petitioners.

#### KARLA HOMOLKA

**Ms Marilyn Mushinski (Scarborough Centre):** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I attach my signature to this petition.

### HIGHWAY SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** To the Legislative Assembly of Ontario:

"Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

"Whereas traffic levels on all sections of Highway 401 continue to increase; and

"Whereas Canada's number one trade and travel route was designed in the 1950s for fewer vehicles and lighter trucks; and

"Whereas road funding is almost completely paid through vehicle permit and driver licensing fees; and

"Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to \$2.7 billion in provincial gas taxes and over \$2.3 billion in federal gas taxes;

"We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with fully paved shoulders and rumble strips; and

"We respectfully request that the Legislative Assembly of Ontario place firm pressure on the federal government to invest its gasoline tax revenue in road safety improvements in Ontario."

This is signed by a number of residents of Chatham and Paincourt, and I affix my signature to it.

### KARLA HOMOLKA

**Mr John O'Toole (Durham):** Speaker, I commend you for allowing us this opportunity to read into the record the important priorities for the people of Ontario.

"To the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

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"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm proud to present this petition on behalf of the member for Scarborough Centre, Marilyn Mushinski. I'll sign it, support it and would like the government to take action.

1530

### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition to the Legislative Assembly of Ontario:

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the government of Ontario through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

Many of these petitions are from Hornepayne and Dubreuilville. I'm proud to affix my signature.



## MILLENNIUM MEMENTO

**Mrs Sandra Pupatello (Windsor West):** The page from my riding of Windsor West, Caroline, is going to help me deliver this petition today. I'm very proud of her. She's going to come and stand right beside me here.

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government carelessly wasted more than \$2.5 million of taxpayers' money on producing the My Ontario Millennium Memento souvenir; and

"Whereas we feel that \$2.5 million would have been better spent on textbooks, computers and curriculum teaching materials which are sorely lacking in Ontario schools today; and

"Whereas students and parents want materials in their classrooms which are not blatantly partisan in nature as is this souvenir; and

"Whereas students and parents are participating in the Return to Sender program by returning thousands of unwanted copies of the millennium souvenir to Mike Harris; and

"Whereas this action by the Conservative government demonstrates their disregard for the priorities of Ontarians; and

"Whereas 500 hard-working Ontario families had to work one full year to pay their provincial income taxes to cover the cost of printing this misguided project;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to condemn the skewed priorities of the Mike Harris government and demand that Mike Harris issue an apology to the people of Ontario for wasting taxpayers' money."

A truckload left Windsor from my office on Ouellette Avenue last night loaded with this millennium book.

Thank you, Caroline, for delivering that petition.

## NOTICE OF DISSATISFACTION

**The Acting Speaker (Mr Tony Martin):** Pursuant to standing order 37(a), the member for Thunder Bay-Atikokan has given notice of her dissatisfaction with the answer to her question given by the Minister of Health concerning emergency room closures. This matter will be debated today at 6 pm.

Pursuant to standing order 37(a), the member for Sault Ste Marie has given notice of his dissatisfaction with the answer to his question given by the Minister of Community and Social Services concerning the Elliott Lake day care centre. This matter will be debated today at 6 pm as well.

## ORDERS OF THE DAY

## FEWER MUNICIPAL POLITICIANS ACT, 1999

## LOI DE 1999 RÉDUISANT LE NOMBRE DE CONSEILLERS MUNICIPAUX

Resuming the debate adjourned on December 13, 1999, on the motion for second reading of Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services / Projet de loi 25, Loi prévoyant la restructuration de quatre municipalités régionales et modifiant la Loi sur les municipalités et diverses autres lois en ce qui a trait aux restructurations municipales et aux services municipaux d'électricité.

**Mr John Gerretsen (Kingston and the Islands):** Mr Speaker, it was the intention of our leadoff speaker to split his time with me. I'm not sure whether he indicated that yesterday. If not, I'm asking for unanimous consent for that at this stage.

**The Acting Speaker (Mr Tony Martin):** Is there unanimous consent? Agreed.

**Mr Gerretsen:** I'm very pleased to debate this bill, Bill 25, although I'm not all that pleased that it's here, quite frankly. The reason for that is that I think the government has once again spun this whole notion that we would all be better off if there were fewer politicians in this province. As if the politicians are the ones that cost all the money.

Now let's be fair about it. It's my understanding that because of the fact that the number of politicians will be reduced in the province of Ontario by something like 190 politicians in these four restructured areas and in Metro Toronto we'll have a saving of about \$4 million to \$5 million. That's the saving for these politicians.

But let's also be fair about it and say that the average municipal politician in this province earns no more than \$5,000 or \$10,000 per year, because the vast majority of these people are on a part-time basis. What this government has been spinning is this whole notion that somehow bigger is necessarily better. To be fair about it, in some cases it may be and in some cases it may not be.

If I look at our own example in Kingston and the Islands where the new city of Kingston has been formulated as a result of restructuring, which was basically supported by most of the people, and I supported the basic concept as well, except for the fact that vast rural areas in my new city of Kingston, namely the rural areas north of the 401 in the township of Kingston and the township of Pittsburgh, were included in the new city of Kingston and some of these areas are as far as 20 to 25 miles away from the city centre, I think it's fair to say that as far as I'm concerned those areas never should have been included. It's my understanding that we're doing exactly the same thing in the Hamilton-Wentworth area and in Ottawa-Carleton, where whole tracts of rural

lands—agricultural land, by and large—are being included into these restructured areas, which shouldn't happen.

Why shouldn't it happen? First of all, there's this whole notion of community of interests. Living in an urban community is totally different from living in a rural community. The kind of topics that get discussed at council, the kind of problems that are dealt with on a day-to-day basis, are totally and absolutely different. To put a rural area, which may be as much as 20 miles away, and in Ottawa-Carleton I would dare say some of these areas are probably closer to 40 miles away from the city centre, into a regional area, into a new city centre makes absolutely no sense.

There's the other aspect as well, and that is the whole aspect of representation. The people of Ontario have to ask themselves, why has municipal government in this province basically worked pretty well over the last 150 years? It is undoubtedly that it is the government level that's closest to the people. If they take any interest in it at all, the people usually know their local representatives. They know their mayor and reeve etc. If there is a problem that they want to discuss, they're able to do so because that person, their own representative, usually isn't further than a concession line away or lives in the same neighbourhood, the same geographic area, etc.

That's worked pretty well for this province over the last 150 years. In these restructured areas, including my own, that is going to be totally denied. The rural voices in these areas are going to be unheard.

Let me make it clear that the individuals who may be representing those rural areas will be heard in their councils, but just in the normal makeup of these new urban, large, restructured councils, their voices are going to be in the vast minority. Let me give you an example.

In the city of Kingston, we currently have a mayor, 12 councillors and four individuals on the board of control, for a total of 17. Now council has decided to go from 17 to 12 in total number. The big debate that has been going on in the city of Kingston lately is whether there should be one or two rural voices on the new council. I say that even that debate is buying into this whole notion that somehow the rural voices will be heard on a consistent basis in these new urban areas. It's just not going to happen. Whether or not they have one voice—two voices are obviously better than one—or two voices, most of the issues that these councils are going to deal with are going to basically not deal with the rural areas and the rural concerns.

1540

People in the Kingston area, before the boundaries of the new ridings were formed, used to say, "Why are you interested in this?" At that point of time I represented the major urban area of the Kingston community. Now, with the new boundary lines, I represent more of the rural people as well. Even in the last Parliament, they would say, "Why are you concerned about that?" I'm concerned about that for one reason and one reason only: I am a true believer in representative government.

This notion that if we have smaller councils we will be better off is absolute nonsense. I think that local councils ought to be truly representatives of the communities that they are. Whether there are people on those councils from the left side of the political spectrum or from the right side of the political spectrum or somewhere in between is totally immaterial. That community ought to be represented on council and there ought to be representatives from one side to the other of the political spectrum.

The reason is that councils have to be truly representative of the communities they represent. That is not talked about. Somehow a lot of people have sort of bought into this notion that larger is better and fewer council members is better because we've got to get rid of the politicians. I'll tell you, the representative aspect is gone.

Today our critic, Mr Colle, received a letter put out by the Association of Municipal Managers, Clerks and Treasurers of Ontario. You may recall that this organization is made up of the clerks, treasurers and city managers of this province, who by and large are non-partisan. They are our civil servants, on whom the effective operation of our municipalities rely, whether it's large or small. This is the same group that, over two years ago, warned the Minister of Finance, when he came out with his first tax restructuring bill, that he was making huge mistakes and, "Please come and talk to us and we will show you how you should implement what you have in mind."

We all know the result of that. The Minister of Finance didn't listen to them. As a result, seven different tax bills had to be introduced. As a matter of fact, I think most municipalities are only now getting out their last commercial and industrial tax bills for this year, 1999. A lot of the bills for 1998 had to be redone because of the bill that we passed last December. People who thought they were getting a tax break in effect were taxed back earlier this year. It was a total and absolute mess.

Two years ago, this organization warned the government of that situation in the taxation area. Now they're issuing the same warning with respect to the bills that are in front of us. We know all about how this bill, which is 175 pages long, is being rammed through the House without any public debate and how it all has to be done by Christmas for some reason. It's kind of interesting that when we had the Toronto megacity bill, it was done in April, even though the municipal elections were held in November. I have no idea why this bill has to be passed before Christmas other than the fact that the government doesn't want the House to sit in January and February, hold public hearings into this bill. I've no idea why.

*Interjection.*

**Mr Gerretsen:** OK, the government whip says, "That's why we're not having hearings."

Let's just deal with the issue of what the Association of Municipal Managers, Clerks and Treasurers of Ontario has to say, in a letter dated today, about this particular bill. Just for the record, they're the leading professional



training organization for municipal government managers in Ontario: clerks, treasurers, chief administrative officers. They represent 95% of Ontario municipalities. The AMCTO represents just about every clerk, treasurer, city manager in this province. What do they say?

"I am writing to you on behalf of the Association of Municipal Managers, Clerks and Treasurers of Ontario to express our strong disappointment at the government's latest effort to reform municipal governance through Bill 25." This, by the way, is addressed to the Minister of Municipal Affairs, the Honourable Tony Clement.

"The AMCTO has a long history of assisting the Ontario government in shaping legislation and policies for implementation by municipal managers. As valuable partners in providing responsible government at the local level, we support the objectives of municipal reform, namely increased autonomy, increased flexibility, less duplication and decreased administrative costs. However"—now listen to this—"proposed legislation such as Bill 25 flies in the face of those principles."

That's what the government is trying to accomplish in this legislation. They want less duplication, increased flexibility, decreased administrative costs, and the people who are going to implement this at the local level are saying, "Bill 25 flies in the face of those principles, as does the lack of consultation on proposed legislation such as Bill 25."

For example, they say the act "permits the minister to amend legislation by regulation." Now this is an organization that's been around since 1937 and what do they say? They say, "This is unprecedented."

**Hon Chris Stockwell (Minister of Labour):** Think for yourself.

**Mr Gerretsen:** I always think for myself, sir, and I know darn well that this legislation is wrong. I'm sure that if you had asked the former mayor who is sitting right behind you, he would know too that this legislation is wrong, and many other people. If you ask Mr Skarica over there, he knows it's wrong. As a matter of fact, he's threatened to resign. And Mr Clark, within your caucus, who is going to make a speech about this, I understand, tomorrow evening, knows that this bill is wrong as well.

*Interjections.*

**Mr Gerretsen:** It says it "represents a clear contradiction"—I always find it interesting that the heckling starts when they darn well know you've hit a sore spot. They say Bill 25 "represents a clear contradiction of the principles espoused by this government, namely public accountability and transparency of the process." This isn't some political organization that's saying this; these are the clerks and treasurers in our municipalities who work for our municipalities on a day-to-day, week-to-week, month-to-month basis.

It says: "This bill is replete with regulatory powers.... Why are they not included as part of this bill? Will the rules be similar to the proposed referenda legislation released last year?" That deals with the section where the minister—and this must be an all-time first—is going to get the power under this act whereby he can state that a

bylaw passed under clause 1(b) and a resolution passed under subsection (2) must comply with such rules as may be prescribed. So all this is going to be done by way of regulation.

Let's talk about the powers that the transition boards will have. Do you want to hear what the organization has to say about that? Well, I'll tell you: "The transition boards will have the power to approve year 2000 budgets for existing municipalities and any in-year changes; amalgamate municipal electrical utilities and convert them to business corporations or sell them;... hire key staff, including a new administrative officer; and make recommendations" for budgets for the year 2001.

What does this group say? They say: "What are the duly elected officials expected to do in the meantime? Municipalities may effectively be paralyzed by indecision.... Bill 25 may have seriously negative implications for those municipalities slated for amalgamation. This bill needs to be vetted by the public. We urge you to proceed with your original plan to hold public hearings in each of the affected areas."

This is another way in which this organization that has served this province and the taxpayers of this province well, that is a non-political, non-allied group, is saying, "Government, you've got it wrong."

The AMCTO had it right when it came to the tax legislation that was passed one and two years ago and they've got it right again. Why are you doing this? I think the reason that the government's doing this is because they are bent on the notion that bigger is better. This is supposedly from a government that believes in less government.

For example, in the city of Kingston I don't believe we've had any savings at all. As a matter of fact, a bonding agency just recently indicated—let me just read to you from that report. This was issued by the Canadian Bond Rating Service, which basically gives the city of Kingston an excellent rating, but it also goes on to say that "the city will need to identify a shortfall estimated to range between \$4.2 million and \$7.2 million based, in part, on a portion of the 1998 and 1999 shortfalls not being fully funded with permanent sources ... amalgamate costs not met by the province and assessment losses."

1550

Remember, that's how the province said they were going to cover all these amalgamation costs. Here's one municipality where they didn't cover them all.

**Hon Mr Stockwell:** Big finish.

**Mr Gerretsen:** The Minister of Labour says, "Big finish." He is another individual who of course at one time was involved at the local level and he should realize the tremendous contribution that local councils and local councillors have made to this province on a day-to-day basis. I would like him to get up and say, not right now but when it's his turn to speak, why he thinks it is so necessary to reduce the number of municipal politicians across this province.

I'm sure the people realize that the end result is going to be fewer politicians but more full-time politicians who will probably cost a heck of a lot more than the part-time politicians that many of the municipalities enjoy currently at a cost of no more than \$5,000 or \$10,000 per year.

I say to this government, it's not too late yet. You can still have your rethinks. Don't do the same thing you did with the taxation laws you passed last year.

**The Acting Speaker:** Comments and questions?

**Ms Shelley Martel (Nickel Belt):** Yesterday the member for Eglinton-Lawrence talked about the incredible power of the trustees of the transition board and how undemocratic that power was, and I want to reinforce that today.

If you look at the bill, it's clear that the transition boards, however many members they will hold, will be appointed solely by the minister. They will be appointed by regulation. The local community will have no say whatsoever in who is appointed. Their salaries, pay and expenses will also be determined by regulations. The local communities will have no say.

The transition board members are going to establish all the "key elements of the city's organizational structure and hire the municipal officers required by statute and any employees of executive rank whom the transition board considers necessary." They are allowed to enter into contracts with those people for terms of employment and the city is bound by the employment contracts once the new city starts.

The boards, as well, have a primary function which is to control all of the decisions of the municipalities and their local boards that may have any kind of financial consequences. They will be responsible for developing business plans for the city and its local boards in terms of cost saving and organize the new municipal structure. All of those people on the transition board, as well, will have any other powers they need in order to implement this particular act. So anything that they need to have done, they will come to the minister and that will be done behind closed doors, without public input, by regulation.

They also have the power to override the Municipal Freedom of Information and Protection of Privacy Act and the Freedom of Information and Protection of Privacy Act and they don't have to be dissolved until January 2001 or such later date as determined by the minister by regulation. They have enormous power. They are not accountable to anyone in the community, but the community by way of this bill also has to pay for all the costs of this transition team. How undemocratic.

**Mr Toni Skarica (Wentworth-Burlington):** The wonderful people back in my riding, which includes the member for Hamilton Mountain, have been saying I'm a hero, and all I've done is keep my word. That should not make me a hero. What does that say about our society? The real heroes are the millions of people who died for democracy.

What is democracy? It's a promise. You make a promise, people vote on it, you get elected and then you

keep that promise. The member for Stoney Creek and myself and Mr Rhodes, on behalf of our party, said if we were elected, no supercity. And here we are—supercity.

People say to me, "Toni, why don't you just walk across the floor, join those people over there?" What's their position? The member for Hamilton East, the Leader of the Opposition, what was their position during the election? A 90-day process and then there would be a supercity. That's what we're doing.

Are they voting for the legislation? No, they're not. What's their word worth? What's anybody's word worth in this place? I don't feel like I'm in the Legislative Assembly; I'm feel like I'm in the bizarre world, the macabre, where day is night and night is day. I'm in Alice in Wonderland but there's nothing wonderful about it.

I want to tell every member in the House that I've got something that's precious, that's better than being a cabinet minister. I spent the last two weekends in my community walking in Dundas, Ancaster, Flamborough, Hamilton and Aldershot, and everywhere I go people are coming up to me and some of them are hugging me and some are kissing me, and all I've done is keep my word. There is one word I want to use—I'm not talking to any member of the House but to people in my community—that you never hear in this House, and I'm saying to the people in my community, thank you so much for being so kind to me and I love you.

**Mr Mario Sergio (York West):** I compliment the member for Kingston and the Islands for always giving wonderful accounts of the bills in front of us and for his discussion. Of course with his experience as a former mayor of the city, he knows what he's talking about when we are dealing with legislation that superimposes the government's will on the will of the people. What he has been saying to us and why we are voting against the bill is that it doesn't do justice to those particular communities, especially to communities where 97% of the people voted no.

We've been saying in this House, "Mr Harris, split the bill." You cannot have one bill comprising four different communities. Each community is being hit differently. It's one of those examples where it's not the politicians trying to feather their nests; this is the people themselves who have been telling Harris and the government, "We don't want it." The government is not listening to the people.

Worse yet, they appointed a commission to deal with those very contentious issues in those particular areas, and now we have a bill presented in the House with very little time to debate it. They are going to impose their decision contrary even to the recommendation of that commission. Is this democratic? Is this a democratic process that is taking place? No. That is why we are against it, because those communities have voiced their concerns. In Haldimand, in the area of which the member just spoke, 97% of those people said, "We don't want it." Again the government is doing it their way, which is not



necessarily the best way in the best interests of the people.

**Mr David Christopherson (Hamilton West):** I want to comment on the remarks of the member for Kingston and the Islands when he talked about public hearings and the fact that they aren't going to happen. The reality, as I would hope everyone understands, is that the government, by virtue of their majority and the rules they brought in, can do virtually anything they want. They organize the time. The government decides how long we're in this place. The government decides what the hours are going to be. The government decides what the order of business is going to be. The government decides what's going to committee, which committee it goes to, how long it will be in that committee. The government decides how much time we spend debating issues. The government decides whether or not they're going to allow any amendments.

The reality is the government virtually controls everything, and when they bring in a time allocation motion, which I am certainly expecting them to do under Bill 25, they will put an absolute, 100% guaranteed lock on the process. Somehow in the midst of all that power they want to suggest it's the opposition that is preventing public hearings from taking place. Nothing could be further from the truth. The fact is that the government can have us stay here, come back, stay later, do weekends, whatever it takes, or maybe you could have planned things a little better so that this was introduced a little sooner. You had every ability to ensure there were public hearings and you decided not to, and then you didn't even have the guts to say so. You said, "We can't, because the opposition won't give up what little democratic rights they have in terms of procedures." How bogus. You don't want public hearings.

1600

**The Acting Speaker:** Response, member for Kingston and the Islands.

**Mr Gerretsen:** I would like to respond to the member for Wentworth-Burlington. I can certainly appreciate what he has gone through over the last two or three years on this issue.

I totally agree with him. Rural areas should not be put in with urban communities. There ought to be a community of interests there.

I also agree with him that, yes, we also would have put whatever you call these persons, a mediator or a facilitator, to work, but he's making one huge error in suggesting that our facilitator would have come up with exactly the same kind of recommendation that this chap came up with. If you think he was going to, and if you're saying, "Well, you guys would have done the same thing anyway," then he is just as guilty of the cynicism that he is ascribing to everybody else.

**Hon Mr Stockwell:** What would you have done differently?

**Mr Gerretsen:** There are other solutions possible. Why is it, for example, that we have to stick to the geographic boundaries that now exist within these areas?

There is absolutely no reason for that. There are a number of other solutions possible.

**Hon Mr Stockwell:** Like what?

**Mr Gerretsen:** You could have taken some of the rural areas, as I've suggested they could have done in the Kingston area by taking the rural areas north of the 401 and attaching them on to the next rural community, which would be south Frontenac. There is a community of interests there. The same thing could have happened in all these different areas.

To merely say, "You people are for or against amalgamation," is not the answer. The answer is how you do it, and you've got to look at the community of interests that are there, sir. Your guys went in there and basically toed the government line. That is the big difference. What you did is wrong to the people in Hamilton-Wentworth. What you did is wrong to the people in Ottawa-Carleton. You cannot do it the way you've done it in this particular case.

**The Acting Speaker:** Further debate?

**Mr Howard Hampton (Kenora-Rainy River):** I am asking for unanimous consent that we can share this leadoff time on behalf of our caucus. I want to share it with the members for Timmins-James Bay and Hamilton West. I'm asking for unanimous consent that we do that.

**The Acting Speaker:** You really don't need consent, but that's fine. You let us know, and that's great.

**Mr Hampton:** I want to put on the record why our caucus disagrees with this legislation, disagrees with the process and disagrees with where this is all headed.

I want to say very clearly so people do not misunderstand me that the process is a totally unacceptable process. Democracy is not top-down. Democracy means working from the citizens up. But here, there is no working from the citizens up. It is two or three cabinet ministers who claim to know what is good for people who live in communities as diverse as Ottawa, Sudbury, Nickel Belt, Toronto, Hamilton, Stoney Creek, Dundas, Ancaster, Haldimand, Norfolk etc. There is no democracy here.

This is a government that says people should be consulted, that local democracy is important. This is a government that says you should hold referenda and allow people to be consulted. Yet with these decisions, which are some of the most important decisions for communities, which touch people's lives very directly, this government says, "No, these decisions are going to be made top-down."

The process here is totally flawed. The process here is totally at odds with democracy. This is command from the top down. The boys in the Kremlin would be very proud of this government's interpretation of democracy. That's the process.

Then we get into the substance and the context. I want to say just a bit about the context. Someone could support municipal amalgamation if the process whereby it is worked through, if the process whereby citizens have an opportunity to be involved, was a good process. Someone could support the concept if the concept had to do with

improving people's democracy, improving people's services at the local level. But the context of this is very clear. The context here is a government that is determined to download the cost of more services on to local municipalities, to download the cost of important services like public health, like housing for senior citizens, the cost of services like child care, the cost of services like transportation and transit, the cost of all those services that allow our communities to be productive, and in fact make our communities more productive and allow each of us to be more productive.

The strategy is to download all those costs without providing municipalities with any additional revenue or opportunities for additional revenue. That's what this is about. For proof of that, all you need to do is take a quick look at what has happened with some of the initial amalgamations.

For example, you've got the new city of Toronto, which has seen at least \$14 million in new costs in the year 2000 operating budget—just in one year. That's not to mention downloading that has already happened, but just budgeting for this year there's going to be a further \$14 million in downloading on the operating side. The capital side: The Toronto Transit Commission capital budget impact is estimated to be \$180 million annually, \$180 million of downloading of costs on to the new city of Toronto with no revenue to help the city deal with that or help the city pay for those services.

Just to give you an example on a small scale, early in its first term this government went to a small community in northwestern Ontario, the community of Sioux Lookout, with the neighbouring unorganized areas, and forced amalgamation. Part of the amalgamation order was an almost 40% tax increase for many of the residents in the first year and then a 47% tax increase the second year, with no new services. In fact, the services that people will have in this new town of Sioux Lookout are dwindling away. Despite the tax increases, the services are actually dwindling away. Why? Because the real agenda here is download: download the cost of these important community services which help to make people and communities more productive; download them, but give the municipality no additional streams of revenue.

So both in the smallest example, a community like Sioux Lookout, or a community like the new city of Toronto, what's very clearly happening is: force municipal amalgamation, then force all these new costs on to the municipality and then say to people, "Well, if services are suffering, it's because the municipal officials are inefficient; they don't know how to handle this."

The context of this is awful. Even if one theoretically agrees with municipal amalgamation, the context has totally corrupted what otherwise to some might be a good idea. Because it's clear this is not about improving municipal government. It's not about improving municipal services. It's not about providing people with the services they need in some more efficient way. It is about this government taking costs that it used to pay, that the province used to pay, and pushing those costs on to mu-

nicipal taxpayers and otherwise burdening municipal taxpayers and lessening the quality of service that they receive in their community.

That context is important, and because of that context, because this is about downloading, because it's about the province actually reaching into municipalities and scooping out revenue, we oppose it.

But there's another fundamental flaw, and I want to go through that fundamental flaw as well.

#### 1610

This government has tried repeatedly since it became the government to find ways to undermine collective agreements at the local level. Their initial attempt, and we remember this, was the omnibus bill which was introduced in December 1995. As people looked at the omnibus bill they found all kinds of ways that this government was going to screech down and scoop money out of the pockets of municipal employees.

Then we saw, in connection with the amalgamation of the municipalities in Toronto, Bill 136. Bill 136 had a number of very unfair, very pernicious clauses in it which, again, would have had the effect of trying to lower the wages of those people who provide the important public services like public health, those people who ensure that our drinking water is clean, those people who ensure that urban environments are well protected and looked after, those people who provide services like security in seniors' apartments, those people who provide, again, the services that we all need if we're going to have efficient and productive cities. There was a very direct attempt to go after the wages and go after the working conditions of those people.

The government was forced to back off on Bill 136. Probably, I think, the reason they backed off is they recognized that many sections of it would have been attacked successfully in a court of law, that they were so grossly unfair and so grossly beyond the legal capacity of the province to do what it was in fact trying to do.

But if we look at this legislation, what we find in it is another attempt by this government to reach down into the pockets of those people who provide those important community services and take money from them. I urge people to read carefully what is in this legislation.

This legislation creates a transition board. This transition board is almost all-powerful. This transition board literally has the capacity to rewrite agreements, rewrite contracts and void contracts, something that I think most people in our society would find most repugnant.

How would this affect those hard-working people who provide many of the community services that make our urban municipalities and indeed in many cases our rural municipalities work? Among other things, if you read through the various sections, it would provide the transition board with the capacity to basically impose a two-year wage freeze on people who work providing those municipal services. I think the question ought to be asked.

We've seen this government give its own political staff 30%, 40% and 50% wage increases. We've seen this



government give the highest levels of the civil service dramatic wage increases and then bonuses on top of that. We've seen this government, through its income tax scheme, give some of the wealthiest people in this province multi-million-dollar tax breaks. We see that this government, through another one of its schemes, is now prepared to go out and finance NHL hockey millionaires. But if you read this amalgamation legislation, part of their strategy is to go out and impose a wage freeze on people who provide very important public and community services and people who are not very well paid at all.

Where is the fairness? Where is the fairness in a government that is constantly increasing the wages, the salaries, the bonuses of people who are already well off, but one of the direct impacts of this legislation is to go after people who provide important public services but who are not very well paid at all, to freeze the wages of public health nurses, to freeze the wages of the people who ensure that the water is clean, to freeze the wages of people who ensure that in the winter the streets are snowplowed, to freeze the wages of those people who provide those very important community services that allow us all to be more productive and allow our communities to be productive in terms of their functioning? That's what this is all about.

The government puts out a lot of propaganda saying this is going to reduce the number of elected political representatives. Well, in many of the municipalities that you go into here, the elected municipal representatives don't get paid a salary. Yes, they may get paid some kind of per diem, they may get paid some kind of allowance, but that allowance is very minimal.

What this government is going to do at the end of the day—and you could already see this as you see the blueprint of the new city of Toronto. Elected political representatives whom the citizen can get at, the citizen knows who they are, the citizen knows where to find them, how to phone them, how to hold them accountable at election time, those people—people who can be held accountable, who aren't paid a great deal of money—are going to be decreased. But in the context of all this, more and more of the work is going to be done by upper-level managers and middle-level managers who command very high salaries indeed.

Anyone who believes in megacities should go to various jurisdictions in the United States. You will find that megacities have not resulted in savings for citizens, in savings for communities. What megacities have resulted in is greater and greater layers of upper-level management and middle-level management, who demand high salaries. Or what those megacities have resulted in is the privatization of many of the services, selling off many of those services to the private sector. The people who used to operate the public service, who used to be paid a moderate wage operating the public service, then go out to run the private sector company and demand much higher wage increases.

**Hon Mr Stockwell:** Sure, Howie.

**Mr Hampton:** I say to the Minister of Labour, who has so much to say about this, all you need to do is look at the track record of privatization in Margaret Thatcher's Britain. Look at the privatization of the water utilities, the hydro utilities, the transit systems. The people who used to work in the public sector and were paid moderate wages—now, after it has been privatized, the senior managers, the executives, are demanding not only high salaries but huge corporate bonuses. That is where this is headed. In fact, the people don't get any more efficient service; they get less efficient service. What people get is service now being provided as a business. If you have money, you can afford the service. If you don't have money, you get cut off. That's where this is headed.

Speaking for our caucus, the NDP caucus, as we review the process, the process here is corrupt. It is a corruption of democracy. There is no working from the citizen up. There is simply command from the top down. If we look at the context, and the context is one of downloading more and more costs on to municipalities, scooping money out of municipalities, lowering the quality of services in those municipalities, we oppose it on those grounds. We also oppose it on the grounds that if you look at where megacities have been created around the world, megacities are not successes. The services that are provided in megacities are not the best services. The kind of administration that is provided in megacities is not the best administration. The kind of democracy where you have one elected councillor for 50,000 or 100,000 or 150,000 constituents is not good democracy.

We are opposed to this and we are going to vote according to our conscience. We are going to vote according to our opposition to the process, our opposition to the context and our opposition to, again, the government's aim of reaching down and taking money out of the pockets of the hard-working people who provide many of those public and community services we depend on.

I urge people across the province to look at where this is going, because these bills don't just affect people in Ottawa, they don't just affect people in the Sudbury basin, they don't just affect people in Toronto, they don't just affect people in the Hamilton area or Haldimand-Norfolk. To give you an idea of how contrary to democracy this is, now 75 citizens only need to sign a petition and they can then request an amalgamation order. Imagine that. So you've got rural municipalities, you've got small-town municipalities—75 people well connected to the Conservative Party, 75 people who perhaps want to see the services privatized because they believe they can make some money off it, those 75 people under this legislation can begin the process of forcing an amalgamation.

This is a total corruption of democracy. This is top down at its worst. The boys in the Kremlin would blush at this legislation. They can't believe that any government in the so-called democratic world would dare to introduce this kind of draconian legislation which strikes so much at the heart of democracy. But it goes beyond

that. If you live in an unorganized area in certain parts of rural Ontario, all it takes there now is one citizen. One citizen can come forward and can start the process of forcing an amalgamation.

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Democracy is supposed to be about the many. It's supposed to be about one person, one vote, not one person decides for everybody else. It is very clear, when you read this legislation, that that's what going on here. Again, totally contrary to the precepts of democracy, totally contrary to the spirit of democracy, but totally in keeping with this government, a government that believes in centralization, a government that believes that three or four people sitting in a back room should be able to make decisions that affect everyone else's lives. Because that's what is going on here, and that's why we are so fundamentally opposed to this.

I indicated at the outset that I wanted to share the time. I believe the member for Timmins-James Bay is here and I know that he would like to make comments.

**M. Gilles Bisson (Timmins-Baie James) :** Merci beaucoup pour les commentaires de notre chef, qui a parlé sur quelques aspects importants dans ce projet de loi, comme l'effet sur les citoyens de ces communautés quand ça vient aux services qu'ils vont avoir, le niveau de taxation qu'ils vont payer et aussi l'attaque sur la démocratie que ce gouvernement est encore en train de faire avec ce projet de loi 25.

Il y a deux ou trois points que j'aimerais faire dans mes 20 minutes. J'aimerais commencer avec un point qui est très important pour la communauté francophone. C'est la question de ce qui va arriver dans ces nouvelles municipalités qui sont nouvellement fusionnées à Sudbury et à Ottawa quand ça vient aux services en français.

Ce gouvernement, dès le début de son terme en 1995, à chaque occasion qu'il a transféré des services aux municipalités, ne les a jamais obligés, par le biais de la loi, à protéger les services en français. On a vu, à travers tous les transferts où il y avait un service qui était donné par la province et qui était protégé sous la Loi 8, la Loi sur les services en français, quand le gouvernement provincial a transféré ses responsabilités aux municipalités—même dans les régions désignées, comme Ottawa et Sudbury—que le gouvernement n'a donné aucune protection sous la Loi 8 en ce qui concerne ces services.

On voit aujourd'hui, par conséquent, que dans ces communautés où les services ont été transférés, il n'est pas nécessairement le cas qu'on a gardé les services en français qu'on avait quand la province de l'Ontario donnait ces services. Par exemple, dans le domaine du bien-être social, quand on a transféré toutes les garderies aux municipalités, et d'autres services, on avait déjà des garanties sous la province qu'on pouvait avoir nos services en français. Aujourd'hui ce n'est pas nécessairement le cas même—puis c'est ça l'important pour ce débat—dans les régions désignées et dans les communautés où les francophones se trouvent majoritaires.

Moi, je viens d'un endroit, Timmins-Kapuskasing-Hearst, où les francophones sont majoritaires. Je ne suis pas convaincu que sous cette loi, si mes communautés seraient fusionnées—c'est possible, parce que cette loi va donner pour trois ans la possibilité au ministre des Affaires civiques de fusionner nos municipalités—les services en français qu'on a présentement dans les municipalités seraient protégés.

Je vais expliquer. Monsieur le Président, vous êtes un député du nord de la province. Vous comprenez que la ville de Sudbury a toujours été reconnue comme une ville progressive, une ville qui offre des services en français pour les citoyens de la municipalité—la région et la municipalité. Présentement, ces municipalités ont des règlements municipaux qui disent que la municipalité va offrir des services en français au comptoir pour les francophones quand ils se présentent. Si tu vas payer une amende dans la police locale, si tu vas payer tes contraventions, si tu as besoin de parler à quelqu'un dans la municipalité pour payer tes taxes, n'importe quoi, la municipalité va donner les services en français.

Ça ne veut pas dire que la ville est officiellement bilingue. Non. Si on regarde tous les amendements, si on regarde tous les règlements municipaux qui ont été mis en place dans ces municipalités, les villes n'ont pas été aussi loin dans la région de Sudbury de dire : « On se déclare et on s'affiche officiellement bilingue. » C'est un statut provincial quand ça vient aux services de la province, ou des statuts fédéraux pour les services fédéraux.

Les municipalités ont besoin de prendre une approche différente. Les municipalités, selon les règlements de ces lois, ont le droit de s'afficher sur le bord d'un amendement avec un règlement municipal qui dit que les services en français vont être offerts aux citoyens. C'est le cas avec beaucoup de municipalités qui sont présentement dans la région où la nouvelle cité de Sudbury va se situer.

La province dit, « On va aller chercher toutes les municipalités dans cette région et on va les fusionner. » Le problème est que toutes les municipalités ne donnent pas les mêmes services en français. Même dans la région de Sudbury-Ottawa il y a beaucoup de municipalités qui vont faire part de la nouvelle municipalité de Sudbury mais qui n'offrent pas de services en français. C'est là le problème. Les francophones à Sudbury, comme à Ottawa et ailleurs dans la province, ont vraiment peur qu'une fois protégées, les nouvelles municipalités vont se trouver dans une situation où les nouveaux politiciens, dans le cas de Sudbury 12 politiciens régionaux, ou dans le cas d'Ottawa encore de nouveaux politiciens municipaux, il va y avoir le débat dans ces nouveaux conseils de peut-être ne pas offrir ces services aux francophones.

C'est une possibilité. On ne peut pas dire que cela ne va pas arriver, parce que la loi est très claire. Si on regarde l'article (6) à la page 9 du projet de loi 25, je vois que le gouvernement provincial dit que si un règlement municipal est présentement en effet dans la municipalité, tel qu'à Sudbury ou la région qui dit qu'il y a des



services offerts en français par les règlements municipaux, dès le 1<sup>er</sup> janvier de l'an 2001, la nouvelle municipalité de Sudbury ou Ottawa a besoin d'offrir les mêmes services selon les règlements municipaux qui existaient avant le fusionnement. Cela veut dire très simplement, par exemple, que s'il y avait la région de Sudbury et d'autres municipalités qui avaient des règlements qui offrent des services en français, dès le nouveau fusionnement du 1<sup>er</sup> janvier, ces mêmes règlements municipaux doivent être en effet pour ces municipalités.

Tiens, il y a un petit problème. Le problème est que toutes les municipalités ont des règlements différents. La ville de Sudbury, la région de Sudbury—pour Valley East j'imagine que c'est la même situation et pour Chelmsford aussi, elles ne sont pas désignées officiellement bilingues mais elles ont des règlements municipaux—ont toutes des règlements qui sont un peu différents. Le nouveau conseil va falloir revenir là-dessus pour avoir un débat à ce sujet. Il y a des francophones qui ont peur que le nouveau conseil ne sera peut-être pas aussi progressiste que les conseillers locaux qu'on a actuellement. Ils ont aussi peur que dans la politique de l'Ontario, dans la politique du jour, les nouveaux conseillers ne vont pas accorder les mêmes services en français qu'ont ces citoyens présentement.

Le deuxième problème, et c'est franchement un plus grand problème jusqu'à un certain point, est que le règlement dit que là où les services étaient offerts à travers des règlements, ils vont rester en effet. Mais comment s'organise-t-elle, une municipalité, monsieur le ministre? Je regarde le ministre du Travail, mon ami M. Stockwell. Si par exemple il y avait six municipalités qui font une grosse nouvelle communauté, dont quatre avaient des règlements qui donnent les services en français et deux n'en avaient pas, comment la nouvelle municipalité peut-elle être dans une situation pour dire, « Mais on ne va pas offrir des services dans les régions où ils n'étaient pas déjà offerts »? Vous ne pouvez pas faire ça comme nouveaux conseils.

Si vous, monsieur le ministre, seriez le maire de cette communauté, ou dans l'échevin le conseiller de la municipalité, vous direz, « Ça ne fait pas de bon sens de donner des services différents qui dépendent d'où on reste dans la communauté. » C'est comme si on avait des lois provinciales qui disent : « Si tu restes à Ottawa c'est une loi. Si tu restes à Timmins c'est une autre loi. Si tu restes à Toronto, etc. » Le conseil municipal va falloir trouver une manière non seulement de fusionner ces nouveaux règlements municipaux, mais comment les étendre à travers les régions qui déjà n'ont pas de services ou de règlements municipaux en français? Là il y a beaucoup de monde qui ont peur à Sudbury et à Ottawa. Ils disent : « Écoutez, il y a un problème. Comment est-ce qu'on va s'organiser dans ces places-là. Y va-t-il avoir un débat où les nouveaux conseillers vont peut-être dire que c'est une patate un peu trop chaude et qu'on n'a pas le courage politique pour nous assurer que les services restent du moins au point où ils sont? » C'est là, le débat.

Je propose au gouvernement qu'ils fassent un amendement à leur loi. Dans la loi, au lieu de dire seulement que tous les règlements dès le 1<sup>er</sup> janvier de l'an 2001 demeurent en effet, vous avez besoin d'aller un peu plus loin quand ça vient aux services pour les francophones et dire : « Dans les municipalités où la majorité des communautés sont déjà francophones, comme à Sudbury et à Ottawa, les services dans les nouvelles municipalités vont demeurer au moins les mêmes à travers toute la communauté, et non pas dépendant d'où on restait avant. » C'est un amendement que mon caucus aimerait être capable de mettre en avant, mais on a un petit problème : le gouvernement provincial ne va pas allouer ce projet de loi à un comité où nous, députés, avons le droit de déposer des amendements à ce projet de loi. C'est encore un autre exemple de comment ce gouvernement, toujours à la plus grande vitesse, essaie de passer ses projets de loi. Ils disent : « Nous avons toutes les idées. On est bien smarts, nous, les Conservateurs de Mike Harris. On a une grosse idée. On va sauver des millions de dollars en faisant le fusionnement des municipalités. »

**1630**

On va tout écrire dans un projet de loi. Ils ont écrit ce projet de loi en deux semaines. Puis ils ont figuré tous les angles possibles au projet de loi. Là il nous disent, « On va avoir un débat de deuxième et troisième lectures sur une période d'une semaine ou une semaine et demie. » On ne va pas avoir même une chance de faire des amendements à la législation. On se trouve déjà dans un des endroits les plus importants quand ça vient aux droits linguistiques pour les francophones dans ces communautés. Quand cette loi sera passée et quand les nouvelles municipalités seront créées dans l'an 2001, on va falloir recommencer les batailles qu'on a battues ça fait 15, 20, 25 ans.

Nous autres, les francophones, ne sommes pas intéressés à tout recommencer de nouveau. C'est très simple : tout ce que le gouvernement a besoin de faire, c'est de permettre à ce projet de loi d'aller soit au comité plénier ici à l'Assemblée ou à un comité législatif pour permettre le dépôt de certains amendements à cette loi, pour s'assurer que dans les communautés comme Sudbury et Ottawa, où la majorité des citoyens se trouvent déjà dans une situation, par droit des règlements municipaux, d'avoir des services en français, ces mêmes règlements soient étendus à travers les communautés pour s'assurer que les droits des citoyens dans ces communautés ne vont pas être érodés.

Je ne pense pas que ce soit un amendement qui fait quelque chose de nouveau. Ce n'est rien qui va apeurer le monde. Ce n'est pas quelque chose qui va coûter plus d'argent aux municipalités. Ça va seulement mettre, par droit de la loi, un amendement qui dit : « On garantit aux francophones que les services en français vont être protégés. » C'est très simple.

Le ministre me regarde de l'autre bord de la Chambre puis il dit : « Bien, écoute. Regarde les amendements. On a déjà ça. On l'a dans la section (6) de la loi à la page 9. »

Non, vous ne l'avez pas. C'est ça le point. Vous le savez, monsieur Stockwell. Vous avez été assez longtemps dans ces conseils municipaux pour savoir que les échevins municipaux, quand ça vient à cette question, vont falloir se prononcer sur la question. Dépendant de comment les élections municipales vont se dérouler dans l'an 2000-01, l'automne prochain, on ne va peut-être pas avoir des échevins aussi progressistes que vous et moi. Moi je sais, comme échevin local, et vous, qu'on va être en faveur. Mais ce n'est pas nécessairement le cas, et c'est pour ça qu'on a besoin de donner certaines protections. Ce n'est pas une question d'aller commencer quelque chose de nouveau. Ce n'est pas la question de développer des nouvelles politiques ontariennes. C'est seulement dire, « Dans le moindre des moins, on ne va pas perdre notre droit linguistique en Ontario à travers ces lois. »

C'est pour ça que dans la dernière session du parlement j'avais proposé la Loi 8. La Loi 8 était simplement ça, mon projet de loi privé qui aurait dit que n'importe le moment où la province transfère des services aux municipalités, on garantit au moins par droit de la Loi 8 que les services en français vont être protégés. Le ministre dit : « On l'a fait. » Non, vous ne l'avez pas fait, parce que vous avez dit : « On va laisser toutes les décisions aux accords municipaux à la signature de la province et des municipalités. » Je peux vous dire que ce n'est pas arrivé, monsieur le ministre. Dans la situation telle que j'ai vue directement dans ma communauté, les services en français n'ont pas été protégés au point qu'ils ont été protégés sous la vieille Loi 8. Il se trouve que les accords qui étaient supposés garantir nos droits linguistiques dans la moitié des cas n'ont pas été signés.

#### *Interjection.*

**M. Bisson :** Non, ce n'est pas la copie. Moi, je le sais, monsieur le ministre. Je ne vais pas me débattre avec vous. Mais je sais que ce n'est pas le cas, et je vous demande d'aller regarder de très près. Nous, les francophones, vous comprenez, vous êtes progressiste sur ce point. Vous avez besoin de comprendre qu'on ne veut pas recommencer les batailles qu'on a eues ça fait 15, 20, 25 ans. Comme tous les autres Ontariens, on veut regarder où on est et où on peut aller demain, et ne pas regarder par-dessus de notre épaule à ce qui est arrivé il y a 20, 25 ans.

Je demande quelque chose qui est très simple sur l'accord du caucus NPD : qu'il y ait un amendement mis à cette loi qui garantit que les services qui sont existants présentement dans ces communautés, quand ça vient aux services en français, soient garantis sous la loi.

Regardez justement ma bonne amie Shelley Martel, qui fait le point, parce que je sais qu'elle veut parler. M<sup>me</sup> Martel et moi, nous nous sommes parlés à beaucoup d'occasions de cette situation. Ce n'est pas seulement moi qui demande ça. Ce n'est pas seulement M<sup>me</sup> Martel qui dit, « On veut défendre le droit des francophones. »

Vous savez, monsieur le ministre, qu'on a présentement dans la région de Sudbury une résolution de la municipalité qui a été passée il n'y a même pas une semaine. Il y a eu un débat, et par unanimité du conseil

existant, on a dit que vous avez besoin de mettre en place une protection sous la loi. J'ai la copie en anglais mais je ne veux pas la lire parce qu'elle est en anglais, mais je n'ai pas trop de choix. Elle dit :

"Therefore be it resolved that the Minister of Municipal Affairs and Housing and the transitional board assures that the French-language services currently provided be enhanced and expanded for the city of greater Sudbury."

Donc c'est la municipalité de la région de Sudbury elle-même qui dit : « On reconnaît que vous avez besoin de faire ça bien avant que l'on fasse le fusionnement. » Ils reconnaissent le débat possible qui va se passer après.

C'est pour cette raison que je vous envoie cet amendement. Je sais que M<sup>me</sup> Martel aimerait parler un peu plus sur ce point.

Je vous dis très simplement, avant que je passe aux autres parties du projet de loi, que vous avez besoin de garder en conséquence le droit linguistique des francophones dans ces communautés où, présentement, il y a déjà des règlements municipaux qui assurent les services en français pour les citoyens. Vous avez besoin de vous assurer qu'il n'y a pas une perte des services de droits linguistiques une fois que la transition est faite aux nouvelles municipalités. Point final.

C'est pour cela que c'est très important qu'on a une opportunité de faire des amendements parce que nous, le NPD, on a l'amendement qui est préparé. Nous sommes préparés à déposer cet amendement à l'assemblée pour protéger les droits des francophones mais vous avez besoin, le gouvernement, de nous accorder la possibilité de l'introduire au comité, et jusqu'à date vous dites : « Nous autres savons mieux. On est le gouvernement de Mike Harris. On peut tout faire. On a le pouvoir et on a le savoir et tout et on n'a pas besoin de rentrer au comité. » Moi, je ne suis pas d'accord avec vous sur ce point-là.

I want to make two points in the few minutes I have left because they need to be put on the record from a bit of a different perspective of what happens when it comes to this whole issue of amalgamation.

One is that I do not believe that we should, as provincial politicians, take on the legislative authority that we are now taking on through this legislation to force amalgamation on to unwilling citizens. They are the local taxpayers, very simple, and it's up to the taxpayers of those municipalities to decide if they do or do not want to be amalgamated with another community.

I'm going to make this very simple. For example, I'm going to look up in my area. Well, no, let's look at Sudbury. If the citizens who live in Valley East decide that they want to keep on having the same municipal structure they've got now, let it be that they pay more taxes currently or less taxes, no different. It is up to them as local citizens to decide if they want to be amalgamated, not a bunch of overpaid, underworked politicians at Queen's Park to decide what's going to happen.

I shouldn't say "underworked" because we're all overworked. I was trying to find some analogy. Sometimes you talk yourself into a corner. "Insert foot in mouth and



pull it out again." But you know what I'm saying: It's not up to a bunch of politicians at Queen's Park to decide what is good or not good for local taxpayers. They are the taxpayers. It is their municipality. Those councillors work for them. They've made decisions about what services they want in their community and it's entirely their decision.

For this provincial assembly to continue what this government started with the megacity across the province of Ontario and say, "We know best. We're the government of Mike Harris and we're going to tell you and we're going to shove it down your throat. You will be amalgamated. That is the word of Mike Harris," I think is wrong. It's dictatorial, it's high-handed. No wonder the public is cynical about politicians when they see politicians take on the type of power and authority they're exercising through legislation like this.

The other thing I want to say is that the argument from the government on my point will be that municipalities would never amalgamate if that was the case. Hogwash. Municipalities across Ontario have been amalgamating on an ongoing basis, based on their own needs, and they didn't need the province to make them do it.

**Mr Bert Johnson (Perth-Middlesex):** Name names.

**Mr Bisson:** Bert Johnson, my good friend the Deputy Speaker, says, "Name names." The city of Timmins. Twenty-five years ago our city amalgamated from within five communities. It was a long debate. It was a very hot debate, as I remember it as a young man, in the city of Timmins. There were some citizens in favour, against; the same type of debate we're having now. But there was a local process set out within the city of Timmins and all of the other communities that eventually amalgamated and there was a referendum, and people, by democratic franchise, walked up to the ballot box and said, "I, the taxpayer, will decide what's going to happen in my municipality, not the province of Ontario." In that case they voted to amalgamate. That was their decision. Was it good or was it bad? I think there's a bit of a mix on both sides, but the thing is, it was their decision.

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You say, "Where recently?" Take a look at what happened in and around the Premier's riding, in Sturgeon Falls and the communities around it. They did that themselves. It was a decision they made for their own reasons. I'm not a big fan of amalgamation, but they decided that was the way to go. It wasn't exactly the process I would have followed, but the point is there are a number of municipalities over the years that have amalgamated on their own. It's happened here in Toronto, it's happened in the Ottawa region, it's happened all over the province. They do it when they think it's necessary. The bottom line is, it's their tax dollars. They're the taxpayers, they're footing the bill—

**Mr Johnson:** No, no, no.

**Mr Bisson:** If they're not the taxpayers, Bert, who is? The Deputy Speaker says, "No, no, no." Well, excuse me. Who's paying the municipal bill? Is it Mike Harris? No. They downloaded all the services to the municipal-

ities. We don't have any more transfer payments going to the municipalities.

*Interjections.*

**The Acting Speaker (Mr Michael A. Brown):** Order. All members know one member speaks at a time. At this moment it's the member for Timmins-James Bay. I would remind members that they should speak through the Speaker.

**Mr Bisson:** Mr Speaker, I'd like to speak through you to the Deputy Speaker that he should know better than to heckle during debate. It's something for me to do that, but for the Deputy Speaker? Anyway, the point is, he seems to think it's not their decision. I disagree. I respect the taxpayers in local communities. It is their money. They're footing the bill. It's up to them to decide if they will or will not amalgamate. They also decide on how many services they want.

The last point I want to make very quickly, because I know the member from Hamilton wants to get up and debate and I know that he's opposed to this bill as well and will vote accordingly at the end of this debate, is the whole issue of what you're doing by way of extending the rights under the old—remember the omnibus bill, or as the former Speaker used to call it, the "ominous bill," Bill 26? In that bill there was a section, and I believe it was section 25.3, that basically said if there were 75 people who signed a petition, the minister had the power to appoint a restructuring commission that would decide if restructuring should happen within a local municipality. That is being extended by way of this legislation. It means that if you're sitting in Kapuskasing or wherever it might be in the province and you're thinking, "Man, we got away with this; there's no amalgamation coming to Hamilton or anywhere else," you ain't seen nothing yet, because the minister has given himself the power to start amalgamation for another three years. I'm opposed to that as well.

**Mr Christopherson:** I thank my colleagues for the opportunity to share in the leadoff, particularly in light of the fact that, quite frankly, my personal position as the member for Hamilton West is different from that of my caucus. We all know how difficult those moments can be, and I want to begin my comments by thanking my leader, Howard Hampton, and my caucus, who from the outset have clearly understood that this is a position I've held since 1985 when first elected as a Hamilton alderman and regional councillor and served until being elected to this place in 1990.

For that reason, my colleague is correct in saying that I'm voting against this for a number of reasons, but I want to state clearly that it's not my desire to vote against. I very much wanted an opportunity to be able to vote in favour of something that I support, which is the creation of a single-tier government in the Hamilton-Wentworth area. But because the government won't allow the bill to be split—and we've mentioned this before; there are at least five different bills in here and the part that relates to Hamilton is actually known as the City of Hamilton Act, 1999.

Obviously there are a number of pieces that make up this omnibus bill and it would be unusual for members, particularly in the opposition benches, to be totally opposed or totally in favour of something that deals with so many different matters in different parts of the province, and in terms of what you did to Toronto, the whole notion that you came out of nowhere and said, "Thou shalt," gave them one or two days' notice and then there was going to be the shootout at the OK Corral at sundown the next day—just nonsensical stuff.

At the end of the day I feel somewhat like I'm being held for parliamentary blackmail in that I will vote against this because I will not put my name to everything that's in this bill. I was one of those who asked for an opportunity to break up the bill so I could deal with the part that deals with my hometown differently than the rest. That's not to be and the universe will unfold, I suppose, as it should.

Let me state, first of all, for part of the 16 minutes I have, why I'm in support of one tier, and then maybe in the last part of my comments, if I have time, I'll also talk about parts of the actual schedule that effects the City of Hamilton Act, 1999, which give me grave concern, although let me say now in case I don't get too far through that part of my comments that I support all the concerns that have been raised both by the official opposition and my colleagues in terms of the incredible, overwhelming power being handed to unelected officials through the transition board provisions contained here in Bill 25.

First of all, when we talk about megacity and supercity, people in this province tend to think about Toronto. The population there, Minister, is what now?

**Hon Mr Stockwell:** Two and a half million.

**Mr Christopherson:** Two and a half million. I would think that in a world context that's probably a little on the small side for some, but clearly it's within the range of world-class, world-sized megacities.

Whenever someone makes a reference to megacity and talks about it in the context of what's happening in Hamilton, it's to make one laugh, because the total population we're talking about is not 2.5 million, not two million, not 1.5 million, not one million, it's not even half a million yet; it's just a little under that. It's about 450,000 people, which if memory serves correctly is about the average size of some of the component municipalities that now make up the new megacity of Toronto. I think people would be hard-pressed to make an objective argument that a municipality of 450,000 people is somehow a megacity or a supercity and that it's not manageable. In fact I would argue the opposite, that 450,000 is an excellent size for a municipality in Ontario.

I'm very much in favour of recognizing both the obvious and the practical, which is that having a makeup as follows, and I'll list them—

**Hon Mr Stockwell:** So you're in favour.

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** So you're voting for it?

**Mr Christopherson:** Minister, if you want to talk, I'll sit down.

**Hon Mr Stockwell:** Oh, you don't heckle?

**Mr Christopherson:** Sure I do, but I'm trying to get you to stop. Normally it's loud enough so I can ignore it, but he's on that wavelength that's getting there.

To me, this is not just any piece of legislation, it's hometown. Obviously, if you want to even a few scores, I can't argue the fact that you don't have that coming, or I don't have it coming to me, I guess. That's the best way to put it.

Of the 450,000 people, it doesn't break out into six individual-sized municipalities, and that somehow this is a merger from the point of view of stand-alone communities that are all equal in size. You have a very unique situation in Hamilton-Wentworth where, out of 450,000 people, the current numbers are about as follows: Stoney Creek has 54,000—these are round figures; Flamborough has 33,000; Dundas has 23,000; Ancaster has 23,000; Glanbrook has 11,000; Hamilton has 322,000. So you have a really large municipality surrounded by a lot of smaller communities. That doesn't automatically mean that they should all be merged. I'm not making that case, but I am making the case that it is very different than what happened in Toronto—which is so far the best example that we have—where you had, relatively speaking, evenly sized municipalities being merged into one. We've always had this really strong imbalance in Hamilton-Wentworth as a region.

**1650**

When I look at what's happening particularly around Toronto with the GTA, the GTSB—the Greater Toronto Services Board—which encompass not just Toronto but the other regions around the Toronto area, all of which eventually about our community, and I look at the planning and the extent to which planning issues—and by planning I mean all of the following: land use planning, transportation planning, environmental planning, waste management planning and economic development planning. As those plans are coordinated from Toronto outward, it's absolutely impossible for us to believe that in Hamilton-Wentworth we won't be affected in a big way by these decisions.

Two things need to happen. One is that we need to be able to respond in a coordinated fashion on behalf of our community to those things that are happening to us. I don't mean that there's an attack coming from outside Hamilton-Wentworth, but rather transportation issues and environmental issues and waste management issues, once made locally or within the GTSB, will have an impact on us. To that degree they're coming at us. We need an ability, in my opinion, to coordinate our response to those extremely important issues that affect our economic future in Hamilton-Wentworth, affect the quality of life in our community and, quite frankly, will affect the citizens every day of their lives as they live in our community. We need to be able to respond in a coordinated fashion that meets the needs of our community—not at the expense of any other, but neither should there be an



expense in our community just because such a larger land mass with so much more population is making decisions we can't respond to.

The other part of this is that, having spent almost a decade here at Queen's Park, I see the absolute total need for us to be able to speak as one voice, because given the fact that we're only 450,000 people in the context of the whole Niagara Golden Horseshoe actually, but certainly the Toronto area, when we do speak on all of these issues that I've outlined—land use, transportation, environment, waste management, economic development—we have to do it as one. It's the only chance that we're going to be heard around here.

Mayor Lastman speaks; Mike Harris, the Premier, listens. When you represent that many people, that's the reality.

**Mr Gerretsen:** Are you sure?

**Mr Christopherson:** He may disagree and he may not give him what he wants, but he's listening. Yes, I believe that.

We need to be sure that in the Hamilton-Wentworth region, the new city of Hamilton, we have the ability, as effectively as we can—not that we're ever going to be able to compete with what Mel Lastman in Toronto can do. But 450,000 people is a significant chunk of the population. We need to do everything we can to maximize our message penetrating through and the needs of our citizens being met. I don't believe for a moment that this happens in the best way when that voice is fractured, and it's fractured among six different entities, seven if you include the region. So I think we need that one voice.

Not just that, but we now have the situation in Hamilton-Wentworth—and this is real, this is sort of the on-the-ground stuff that's happening in our municipality—that if one gets wind that there is an investor or group of people looking to make an investment into our area, because the geography of where we are and the services we have meets their needs, immediately what happens is that the regional government economic development officials will go out and speak on behalf of the region and do what they can to lock in that investment within our boundaries. It's no different than what happens in every other community across the province.

What's unique to us, as opposed to Toronto now, is that in addition to that voice you've got all the component municipalities having their mayors and their officials enticing within the region to be in their municipality. Why? Obviously, whoever gets the investment gets the tax base. Some of it goes up to the regional municipality but, nonetheless, there's a benefit to the local government, the first tier, if you will: municipal government. So you've got all these mayors running around and doing their job—I'm not faulting them for it; it's exactly what they should do—but they're all out doing the same thing. That takes time, it takes money, it takes staff effort and, in my opinion, can send out mixed messages, particularly—mayors wouldn't do this, but certain individuals may get a little overexcited in their enthusiasm for their municipality and perhaps say some-

thing negative about an adjacent municipality, because there are real prizes. None of this happening, in the context of everything I mentioned earlier, is in the best long-term interests of the people in the broader community of what is now known as Hamilton-Wentworth. We have to have our voices focused.

That pretty much lays out the main reason. If I had an hour lead speech I'd get into a lot of details, but the fact is that those are the main ones. Some people are saying it's going to save a whole lot of money and that's why they want it done. I believe there will be some money saved. There should be. Once you're eliminating duplication, to one degree or another there ought to be some savings. Let's understand that those savings, while they may be positive to the majority of people in our community, may possibly mean job losses to others. We ought to be very sensitive to that, and we ought to have labour policies in place that are doing everything humanly possible to mitigate that. But at the end of the day there have to be some savings.

I don't believe, and never have, that it will be to the tune of the multiple tens of millions that some have claimed will happen. I'm not nearly as convinced. Therefore, I don't see that as the driving reason. For me, it's a matter of looking at the way Ontario is unfolding and, having spent time at both the municipal and the regional level of government in Hamilton-Wentworth, coming to the belief that the only thing that makes any sense for us is to ensure that we have one unified voice. Some of the problems that we have—and we're not going to get a chance to debate them much; we're not going to get a chance to place any amendments. I don't know if people who are watching realize, but because of the process the government is going to follow, at least what they're indicating they're going to follow, there will be absolutely no opportunity to make amendments. You can only do that in committee or committee of the whole. Neither of those look like they're going to take place during the debate on Bill 25. That's a shame. It's wrong, it's undemocratic, but it's also a shame, because I have yet to see a bill of any substance, let alone a bill the size of this one, that isn't improved by virtue of all the people who are affected, the stakeholders, contacting government members and opposition members and saying: "There's a potential problem here. Please raise it."

You know yourself, oftentimes at the committee level partisanship is set aside and there is a collective effort to work through a problem, particularly if it's not a point of controversy or contention between the three parties in this place. We lose the benefit of all that. It is a shame because we won't have as good a piece of legislation as we could and as we should.

One of the things that drives me to distraction is this notion—maybe when the member from Stoney Creek speaks he can shed some light on it; I mean that sincerely—that one of our communities within the region may or may not be a part of the new city. They may or may not. I don't see it spelled out in here whether they are or aren't. I think what's going to happen is it's going

to be captured—and I don't have time to get into too much detail—by the power that the government has given itself by virtue of this bill.

1700

What that means is that whether it's the local councils continuing with whatever meagre little residual power they've been left with or whether it's the transition board, how are they supposed to make any decisions without even knowing what the component parts of the new city are going to be? What kind of transition planning do you do, whether you're on the local council or on the transition board? It's nutty to suggest that you're going to have all this transition taking place and one of the component municipalities may or may not be in and that could happen at any point down the road. This is bizarre. It's a bizarre way—and I understand why. We all know why that happened. It was an attempt to provide some room for the honourable member from Wentworth-Burlington. It failed, but we're still left with this wacko notion that this could still happen.

I hope that the member from Stoney Creek would assist as we move through this in nailing this down. Is it in, is it out? Let's do it quickly so that we understand what exactly is going to make up our new city as we move forward trying to make the initial plans, the initial decisions, that are going to affect the success and the viability of our new city.

Two quick things, if I can get them in in 60 seconds: One of the powers that the government is giving themselves under Bill 25 is, "In the event of a conflict between a regulation made under this act and a provision of this act or of another act or a regulation made under another act, the regulation made under this act prevails." Regulations are decided by cabinet behind closed doors. That's the process. I'm not complaining about that, but that means that you can pass a regulation that overrides the law we're passing here. That's a complete flip from the way that things normally run around here, and that is that this place passes the law and then the minor details are handed to the cabinet to deal with by regulation.

There's even a Professor Ed Morgan of the University of Toronto who states that this is borderline unconstitutional because of the way that it puts powers back there. What we do here becomes almost meaningless.

I am in support of one-tier government for my community and proud to say so.

**The Acting Speaker:** Comments?

**Mr John O'Toole (Durham):** It's a pleasure to respond briefly to the members from Kenora-Rainy River, Timmins-James Bay and Hamilton West.

For the record, I did serve on lower-tier in Durham, the municipality of Clarington, as well as the region of Durham. So I'm somewhat familiar with the struggle of restructuring government. It's been an issue for many years; in fact, arguably, for the last 25 years, since the region of Durham was formed. For the record, it's important first of all that the government leads by example, and those commitments that were made to restructure ourselves—130 members down to 103—a promise made,

a promise kept. I'd also say that in our most recent election platform restructuring government was an important commitment.

I have to read for the record from the Greater Oshawa Chamber of Commerce correspondence to the regional chair, anxiously anticipating a change and reform there, dated October 1. "What is puzzling to the business community is that there appears to be consensus at the region that the status quo is not acceptable but no united commitment to find a made-in-Durham solution. The chamber feels strongly that the region of Durham and the municipalities must act immediately to find a solution before the province takes action to impose."

I can remember, as a member of the regional council, reading a report on Ottawa. It was called A Single-Tier Study on Ottawa-Carleton. In that report, there was clearly no way of reaching consensus, yet the motive at the time in 1990 was to find a more efficient way of delivering government while providing accessibility.

So the single-tier study forms as a document the issue Ottawa-Carleton has been struggling with for many years. But it's important to recognize too that this is an emotional issue. Local input is extremely important and I think that any resolution to strengthen the representation and the role of the elected person should certainly be the motive, and I am sure it is the motive within this intended legislation.

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I am rising this afternoon to raise concerns that have come to me from municipalities within my riding, and I would have to oppose the legislation that is before the House at this time.

I've heard from a lot of reeves and a lot of mayors in Hastings-Frontenac-Lennox and Addington who believe that truly, rural Ontario has been put upon by this government. There have been expectations placed upon municipalities that they do not have the resources to meet. Very sadly they share with me experiences where they are not able to provide the services that they should, that they would like to, to their taxpayers because they don't have the assessment base.

They are also very frightened. They're looking at what is happening in the urban centres, the imposition of a solution without consultation with the local representatives. They're most frightened that we're going to have in our part of Ontario, in our communities, made-in-Toronto solutions imposed on our elected representatives. It frightens them and quite honestly it's totally unacceptable.

For many years in rural Ontario people who have maintained jobs outside their homes or have worked on farms or whatever have been able to seek an elected office. There is certainly the sense that with the larger municipalities an elected role is becoming a full-time job. In rural Ontario there is not the compensation or remuneration for a representative role that there is in the larger centres. So there is a great concern about accessibility, about commitment for people who would be seeking office in rural Ontario. It's not based on consulting the



local people and so they are very upset and disturbed by this.

**Ms Martel:** One of the more offensive things about this bill, and there are lots of things that are offensive, relates to the special deal that the Minister of Municipal Affairs has cut for two of his own in two Conservative ridings. I speak about West Carleton and I speak about Flamborough.

How is it that every other community in my area has to be amalgamated, is being forced to be amalgamated? No one has a second opportunity by way of ballot or referendum to decide if they want to be in or out of the greater city of Sudbury. But in West Carleton, the folks there, after this bill is passed, will have an opportunity to decide whether they want to be part of the city of Ottawa or not, and the people in Flamborough will have the same opportunity. Why is it that people in Dundas and other communities, who have voted no to amalgamation in a referendum, don't have a chance to vote again?

I'm insulted by this bill and this provision because it cuts a special deal to try and help two Conservative members in their own backyards where this is not going over very well. I think it's reprehensible that the government would do that. Why aren't communities in my neck of the woods given the same opportunity to vote yes or no?

I am also very concerned that this has nothing to do but for downloading. This is what this bill is all about. If you look at the first download, that happens to be for the cost of the transition team. For the people in the regional municipality, who have no choice about who is going to be on the team, how long they do their business etc., that's the first cost they have to pick up. The second cost, no doubt, is going to be the entire \$12-million cost of the transition itself. The minister told the Sudbury media that who pays is not part of this bill; it will be discussed at a later date. I'm sure it will. I'm sure we'll be getting the pleasure of paying the \$12 million that it's going to cost to do the restructuring in our community.

Finally the government has to do something with respect to French-language services. Forty per cent of the riding I represent has people who identify with the French language first. We need to guarantee that they will continue to receive services in French like they do now.

**Mr Brad Clark (Stoney Creek):** If you listen very carefully today, you might be able to hear some music in the House because I've never seen so much dancing in my life. We have Liberals on one side—the member for Hamilton East who clearly supports one tier—but they're going to oppose it by finding something in the bill that upsets them. That's the reality, regardless of whether he spoke in the House or not; that's what he is doing.

1710

The member for Hamilton West has been a long-time proponent of one tier, and I give him complete credit for it, but then he should support the bill.

I'm opposing the bill and I will vote against it in the House. The reality for me, the bottom line, is you should

look at, for example, the township of Glanbrook. If the member would listen, he would hear about the impact it would have in the township of Glanbrook. The township of Glanbrook, with virtually no debt, \$6 million in reserve, \$7,500 a year for their part-time councillors—a council that should be held up for accolades—is going to disappear. Someone should explain to me what the direct benefit is to Glanbrook. We've heard the dancing; I want to hear the realities. What is the direct benefit? What is helping Glanbrook?

**Mr Christopherson:** It's your government.

**Mr Clark:** You're supporting it, member for Hamilton West. How can you support this when you know it's going to impact on Glanbrook? You can't say you support one tier and then oppose the bill. Glanbrook is going to hurt. The great defender of the underdogs, you should be speaking for them, and I don't hear it. I'm speaking for them; I don't hear it. The reality is, I will be opposing it.

**The Acting Speaker:** Response?

**Mr Bisson:** To the various members who commented, in no particular order: Member from Stoney Creek, I'm interested to see that you're going to vote against this bill. I think that's consistent with the NDP policy, the NDP position that it's up to local people themselves, as taxpayers, to decide if they will or will not amalgamate. If, in your case, Stoney Creek is run with a lower tax base, it has a lower debt and there are good reasons why citizens there don't want to amalgamate, that should be their decision; I agree with you. Only by way of referendum should they be given the point. I'm surprised but happy that you're actually going to vote against the bill.

The member from Sudbury raises a very interesting point, one that has not been raised enough: a special deal that a certain Conservative backbencher and a minister are getting by way of this legislation. Virtually every citizen who is affected by amalgamation, other than those in two particular communities, because they happen to have Conservative members, will not have the right to their democratic say by way of a referendum when it comes to being able to choose to amalgamate or not amalgamate.

It's unbelievable that the government of the province of Ontario would take the position that this government is taking, to say that in the case of Flamborough and in the case of the community of the government House leader, they would give those people the right to decide afterwards if they want to go the way of referendums. So either you is or you isn't, as the former Speaker of the House, Chris Stockwell, would say; you're either in favour of referendums or you're against referendums, but you can't have it both ways in the bill.

I say give the citizens of Ontario the right to decide by way of a referendum if they choose to amalgamate or not. They are the taxpayers; they're footing the bill. It should be rightfully their decision and not that of this assembly.

**Mr Doug Galt (Northumberland):** It is certainly a pleasure to be able to address Bill 25. I would just like to start out with a couple of quotes: "In my mind there's no

question that transforming the seven urban local governments we now have into a single city will save tax dollars, reduce bureaucracy and streamline services. It will also put Ottawa on a more even footing with other cities around the world when it comes to competing in today's global economy for investment and jobs." That was by Dalton McGuinty, in a Liberal news release of August 24, 1999.

Another quote: "If he"—Mike Harris—"doesn't restructure Ottawa, the best opportunity we've had in years to transform our community into an efficient, effective and competitive force in the new century will have been lost." Dalton McGuinty on restructuring in an Ottawa letter to the editor, *Ottawa Citizen*, August 8, 1999.

Another quote, Mr Speaker—I hope I'm not boring you with all these quotes, but I'm sure that in your position you'd be particularly interested: "If the Liberals form the government, shortly after that I will be appointing a facilitator in order to see if we can achieve some sort of agreement. If we are unable to arrive at an agreement within 90 days, I will appoint a commissioner who will be charged to consult broadly and return to cabinet with recommendations." Again, Dalton McGuinty, *Ottawa Citizen*, January 22, 1999.

These are quotes from the leader of the official opposition. I'm surprised, actually, that he is the leader of the official opposition and not of the third party.

I'll just go through some of the questions. I thought it was interesting to look into Hansard and see some of the things that he's been saying. I went back to look at the statements. He was trying to come up with some reason to oppose the bill. He said "that we deal with five separate and distinct plans for restructuring, and that we do that by means of one bill." Here he is, trying to split it up into five separate bills. I can't think of a weaker statement to come up with to put forth in the House. It's just an excuse to flip-flop. I thought he and the Liberal Party of Ontario would have stood for their convictions, the kind of things that they were campaigning on back in May and June 1999.

Then he goes on—and this is in that same statement; I'm quoting from December 6; I'm sure you'll recall it—"Let's remind the government that it chose to wait five long months after the election before appointing its special advisers." I don't know what kind of a calendar Mr McGuinty uses, but it was first mentioned that we were going to bring out special advisers on August 23. By my calculations, that's roughly two and a half months. They were named on September 24—I think that's three and a half months—to bring in a report by the end of November. They brought that report in on November 26. That's slightly over the five months.

If members in the Liberal Party got this man a calendar and explained to him how it works, his questions would be more credible indeed. I think it's most unfortunate that we have those kinds of questions with no substance in the House. The Liberal Party would go so far if they had a leader who had questions that had some substance to them. I find these kinds of questions disap-

pointing for our cabinet ministers. It's not a challenge for them at all. It's just most unfortunate.

On that same day it moved on into question period and his question was, "One of those specific recommendations was that that new city be designated bilingual, with the eminently reasonable proviso that bilingualism be available where numbers warrant." It's already bilingual. The province of Ontario supplies bilingual services there because numbers warrant it. Are they saying they don't want to be autonomous in this—

**The Acting Speaker:** Minister of Labour, sit down. I can't see the person speaking. Thank you.

**Mr Galt:** Certainly, it's obvious that the status quo will continue and they're trying to take away the autonomy of this wonderful city.

I'd like to bring to the members across the House here, particularly to Mr McGuinty, that the province brought in francophone school boards province-wide. This government has concerns for Franco-Ontarians and I'm not so sure that you people do.

Then on December 7 he started talking about "mega-bill." He's back to the same thing. Nothing new, nothing original, just muttering away about, "Hidden within your mega-bill are sweeping new powers for the Mike Harris cabinet," searching for an excuse to come up with something to object to in this bill.

Later, in his next question—I think it's kind of interesting in that one—he said, "I defy this minister to stand up and tell us how it is in keeping with democratic principles that 75 people can be allowed to sign a petition and compel"—I underline "compel"—"a commissioner or this minister to impose a restructuring solution on a community." Just a few minutes before that, the minister said there was nothing in the bill that compelled the appointment of a commissioner. So he's wrong. Obviously he didn't listen and/or he didn't read the bill to start with. Again, it's most unfortunate that he doesn't understand the bill that he's actually speaking on.

Then we move on with this and look at December 8. What does he have for the second question? It's on referendum. Lo and behold, that's the very question the NDP leader had on the first day and now he's copycatting a question that the NDP was using. I guess they finally clued in and realized it was a good question.

Then on December 9, what do they do? It drops to a backbencher. The member for Essex had a question on restructuring, and then it disappears.

1720

All I can assume from this kind of questioning is that this restructuring isn't very important to those members. They didn't have good questions, there's nothing in the statement, and now they're trying to backtrack and compensate for a really serious mistake they're making here in flip-flopping. But then Liberal waffling, what's really new? You really don't know why the Liberal leader continuously pontificates over these things. No one cares much, really, which way he thinks. You kind of wonder if it's something they're trying to set up so the leader can get his brother hired again. They tried it at one time and



had to lay him off. That was kind of embarrassing for the party and also for the new leader.

But Mr Speaker, if you look at restructuring and think about your leader, the leader of the Liberal Party, he was at first for it and now he's against it. What happened? Was there a bit of pressure and he couldn't stand up to the pressure from the people in Ottawa? Does he have poor advisers? The answer to that must be yes, with the kind of questions he comes into this House with. Or is it totally indecision on his part and the part of the Liberals, continuously going on and flip-flopping—

**Hon David Turnbull (Minister of Transportation):** Probably all of the above.

**Mr Galt:** Probably you're right. The Minister of Transportation says, "Probably all of the above," and I think he's absolutely right on that one.

Another good example of the Liberals' flip-flopping around goes along with the Millennium Memento journal. Just how low can you go to use students? It's sad and it's shocking and unusual that a political party would actually use students to carry out their political agenda. In my statement earlier today they were trying to deny the fact that they were behind it. And then they bring across the House books that state inside in red: "Return to sender. Try spending wisely."

That's red and it's all over, and it's obviously the Liberal Party. They've even got a stamp to deface books. I thought it was bad enough when students in my riding were defacing books, and then, lo and behold—

**Mr Gerretsen:** On a point of order, Speaker: The member has levelled some very serious allegations of deceit towards this House. If he has proof—

**The Acting Speaker:** That's not a point of order. No.

**Mr Galt:** Mr Speaker, I'm so pleased that he asked that question, because in last Thursday's Cobourg Star they quoted that the Liberals are behind the return of these books. That was in the Cobourg Star, so it must be right. You'd believe anything that would be in a Star.

What an insult, what you people are doing, to 100,000 students in this province who made submissions for this book. What an insult. It's a shame and it's most unfortunate. Anyway, the tactic is really backfiring on you, because as soon as they heard in my riding that these books were coming back, I had all kinds of people phoning, wanting copies. They wanted them, everyone from a radio station in Campbellford, a seniors' residence, a school. Some of the municipal offices wanted them and the list just goes on. I was more than pleased to supply those books to them.

In conclusion, for once I'd like to see the Liberal leader really take a stand on something and stick to it. We'd just love to see it on this side of the House. It would be quite unusual. The people of Ontario aren't so interested in political posturing. They want clear, well-thought-out solutions to serious problems. The solutions to municipal restructuring contained in this legislation are just that: elegant answers to long-standing problems, answers that will save taxpayers' money in the long run. These are solutions I can enthusiastically support.

I now turn my time to the member for Simcoe North.

**Mr Garfield Dunlop (Simcoe North):** I rise this afternoon to speak to the second reading of Bill 25, the Fewer Municipal Politicians Act. I take a special interest in this act. As a member who has spent almost 19 years as a municipal politician up in Simcoe county, I take a keen interest in any legislation that affects any municipal politicians.

As well, I sat on the county of Simcoe council during one of the very first municipal restructurings in our province. In the county of Simcoe it was initiated as a self-driven study back in 1988, with a lot of help from the Ministry of Municipal Affairs. I might add that it was under the David Peterson government at that time.

Honda Canada had purchased land in the Alliston area with the intent to build a large automotive manufacturing plant there. Of course today that's the largest employer we have in Simcoe county. It employs close to 3,000 people and has two huge plants there now.

With the expected growth in the area, most of the municipalities in south Simcoe were proposing annexations and boundary negotiations with each other. There was a lot of problems with planning, sewage, water, and of course they're now building a 24-inch pipeline from Collingwood to Alliston to help feed that plant.

The problems there were unacceptable, particularly with the boundary negotiations and a plan was put into place to amalgamate eight south Simcoe municipalities into three.

Two years later the balance of the county of Simcoe amalgamated from 33 municipalities into a new total of 16. By the beginning of January 1994, the county of Simcoe had reduced the number of politicians from 175 to 110. The amalgamation this time was under the Rae government, the County of Simcoe Act.

I can tell you that in the early 1990s, county restructuring was a very difficult sell to municipal politicians, as well as to the public. From provincial governments of all parties, municipal governments had continually heard words such as "duplication" and "disentanglement." If you've been at AMO conferences or NOMA or Good Roads, any of those, those were words that were mentioned continuously. All ministries encouraged governments, even back in the late 1980s, to start to look at ways of restructuring or ways of saving costs. We needed to make sure all governments work more efficiently.

In the county of Simcoe the committee in charge did a financial analysis of a proposed new boundary scenario. The analysis projected major savings to the residents of the county of Simcoe, particularly in the administration of each municipality. Although I admit it was a difficult sell, the municipal politicians voted in favour of the plan. The County of Simcoe Act was passed in December 1993.

Today the members of those councils of the county of Simcoe are proud that they in fact were instrumental in being one of the first municipalities to restructure in the county, but they continue to look at cost-saving measures.

I look at all the different areas of the county. All the mayors and deputy mayors and economic development commissions meet on a continual basis to continually find ways of saving more money.

The Harris government, when elected in June 1999, promised the residents of Ontario more change. The Harris government put in legislation the act to amalgamate the municipalities that were to become the city of Toronto, and as well Bill 26 allowed municipalities to further look at cost savings from municipal restructuring.

I am pleased to debate the Fewer Municipal Politicians Act here today. If passed, the act will ensure more efficient government and better accountability in municipal governments across the province.

A fundamental goal of our government has always been lower taxes, fewer politicians and a promise to build a strong economy, strong enough to support the social programs our citizens of Ontario expect.

When we were elected in 1995, we cut ourselves first and reduced the number of MPPs from 130 to 103. The saving to the taxpayers of Ontario netted out at approximately \$6 million. Yes, we probably all have to work a little bit harder today, but we all knew that going into the June 3 election.

Since 1995, amalgamations have occurred across the province. There are now 586 municipalities, down from 815, and 1,059 fewer politicians in this province.

However, despite a long-standing consensus that government has become too costly, too complex and too inefficient, no reform has occurred in Haldimand-Norfolk, Hamilton-Wentworth, Ottawa-Carleton or Sudbury. In areas of the province where local government has already been streamlined, municipalities have reported total savings that benefit taxpayers by \$220 million annually. It is now time for the people of these four regions to enjoy similar savings and more efficient and accountable services that the other areas have experienced.

1730

Bill 25 promises the people of these regions that change will be in place for the November 2000 municipal elections. I believe that our government is acting wisely to protect the interests of the taxpayers in these regions.

It is disappointing that no action has been taken on the restructuring of these four regions over the years, although it has been debated extensively. This past August, Steve Gilchrist, the former Minister of Municipal Affairs, put an end to the indecision. Minister Gilchrist announced a plan to protect taxpayers in the four regions from the costs of large bureaucracy, increased red tape and inefficiencies. Each region was given 90 days for one more round of local discussion. A special adviser was appointed to each region. By November 26, they submitted their reports. The minister made the tough decisions and introduced this legislation last week.

A little about each new municipality:

In Haldimand-Norfolk there will be two new municipalities, the town of Norfolk and the town of Haldimand.

The number of local politicians will be reduced from 63 to 16, at a savings of \$2.5 million a year.

In Hamilton-Wentworth, the new city will have 14 council members and a population of 461,000. The number of local politicians will be reduced from 59 to 14.

Ottawa-Carleton will be one city. The new city will have 21 members. It will be reduced from 84 to 21 politicians, covering a total population of 742,000. Taxpayers could save up to \$75 million annually.

In Sudbury, the new city will have a 13-member council, a population of 163,000 people, and local politicians will be reduced from 48 to 13. The savings would reach at least \$8.5 million annually.

In summary, the number of municipalities in the four regions would be reduced from 34 to five. Remember, that is 34 sets of administrations to five administrations. I believe we have the technology in 1999 to handle the reduction in administrations. I also have the confidence in municipal politicians to be able to implement the regulations of Bill 25.

The total number of politicians would be cut from 254 to 64: 190 fewer politicians. Taxpayers could save almost \$121 million a year, including the savings already found by merging the administration of the city of Hamilton and the region of Hamilton-Wentworth.

I support the contents of Bill 25. I commend the Minister of Municipal Affairs and Housing for having the leadership to introduce it, and I thank you for the time you've given me today to speak to Bill 25.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I am pleased the member for Northumberland took the time to re-emphasize the concerns that we on this side of the House have with the Harris government's constant attack on the principles of democracy.

The Toronto Star did an editorial in which they raised two issues in this municipal restructuring bill that further erode the democratic principles. One, of course, is the clause that's in the bill that gives this government the power to amend or change any act. Through regulation, by cabinet, they can change any act, any regulation, that is deemed to be necessary to be changed in order to implement this government's grand design.

There is also, as the member for Northumberland mentioned, the concern we have that 75 people who object to the policies of their elected municipal representatives can ask this government to send in a commission and basically take over the municipality. The member says, "It's permissive"; it says "may." But we know full well that when this government gives itself permissive legislation, it's for one reason only, and that's because they fully intend to use it. This gives the government, with the request of 75 people in any sized municipality, the clout to come in and impose its will on a community.

The Toronto Star editorial says: "Is this all incompetence? They say they need this power now and they're going to fix it later. Did they put this in by accident or is this something entirely unprecedented in the erosion of



democracy?" I want the Toronto Star to know it's not unprecedented.

Justice Cummings, looking at Bill 104, an education bill, talked about the Henry VIII clause by which the cabinet would give itself the power to override other acts and regulations.

In Bill 161 there was a clause that would have given the government total power to amend any other act, any other regulation, including—I say to the Minister of Labour—any labour laws in the province. Unfortunately, the government gave, by mistake, its crib notes to the committee looking at Bill 161, where it said, "The Ministry of Education's lawyers advise this is unconstitutional. However, the Ministry of Education believes they need it anyway." But because they were embarrassed by the fact that they were recommending a clause that was unconstitutional, they did at least withdraw that one. This clause is not unprecedented.

**Mr Christopherson:** I just want to reflect on the comments of the member from Northumberland who, as is the case, spoke to the facts at hand—he got a little off-track in terms of some of the issues, but don't we all?—and why he's supporting Bill 25. It's unfortunate that his colleague from Stoney Creek felt the need to start talking personalities and bringing in what individual members are doing and almost impugning motive, which is unfortunate, because I know that myself and the member from Hamilton East, from the Liberal Party, have gone out of our way during the whole course of this—and I do believe that the member from Wentworth-Burlington can speak to this—to avoid getting into any kind of personal accusations about why anyone is doing what they're doing. Certainly, Speaker, you would appreciate that there's been ample opportunity on the part of the member from Hamilton East and myself to do that had we chosen to.

Just within the last couple of weeks we were on the Roy Green show, all of us together, and we dealt with the issues at hand. I really think that all of our constituents in the broader Hamilton-Wentworth community are best served by that. We don't have the greatest numbers in this place. It's important, when we're talking about local issues, as much as possible, if we can't agree, to at least stay with the facts.

I didn't get enough time to comment on this, but I have had considerable problems with the fact that the suburban constituents in the new city of Hamilton don't have as much representation as I think they ought to have in the new city. That is not a personal thing to anyone. In fact, as I comment on the number of seats, I'm reminded that it was the member from Hamilton East and myself who, in opposition at that time to our own caucuses, were prepared to support the Church accord, which would have supported something the government wanted to do that wasn't in the best interests of opposition members.

**Mr David Young (Willowdale):** I appreciate having an opportunity to enter this debate. I want to particularly thank the members from Northumberland and Simcoe North for their insightful comments this afternoon. It's

quite clear that there are essentially two ways in which one can govern in this province. We have seen examples of both over the last 10 or 20 years.

The first involves studying and sending things out to committees and ultimately shelving reports that come back from those particular committees. The government, albeit with the best of intentions, then finds itself in a state of paralysis. Nothing, but nothing, gets done.

The other way of doing things is to go out to the people in an election campaign to set out very clearly, unequivocally, just what it is that you want to do, just what it is that you're asking for a mandate to perform. We did that. We did it in 1995 and we did it again in this past election. We've come back and we are continuing what we started, and that is to reshape this government, to stop the tax-and-spend ways, to make government more streamlined.

Over the last number of months in this Legislature, we have brought forward a series of bills that have tried to address these very issues, one by one. Over the last four and a half years you've seen this government do a great deal to bring this province from being the 10th-best province in terms of economic performance, from being a very inefficient body of government, to being the best in this country.

It has not been easy. The decisions have been difficult, but they have been necessary. They have involved the restructuring of municipal council. They've involved the restructuring of our education system to eliminate grade 13. My friends on the other side, this government came forward and said, "No, we're not going to talk about this for another three decades. We're going to move quickly. We're going to get something done because this province needs to stop this juggernaut!"

**The Acting Speaker:** Thank you.

The member for Kingston and the Islands.

1740

**Mr Gerretsen:** I would first of all like to congratulate the member from Simcoe North for sticking to the facts, which is much more than can be said for the member from Northumberland, who basically engaged in 10 minutes of personal attacks. He didn't say anything positive about the bill or why he's supporting the bill.

But I will say this, that once again we got a letter today from the Association of Municipal Clerks and Treasurers of Ontario. You may recall, this is exactly the same group of civil servants that works in each one of our municipalities throughout the province, that represents some 97% of all the municipal clerks, treasurers and city managers, who are saying exactly the same thing they said about all those taxation bills that were brought in some two or three years ago. You may recall at that point in time they said: "Work with us. You tell us what your political objectives are and we will help you implement them, Government." The government totally rejected them and, as a result, seven different tax bills had to be passed because the government couldn't get it right. As a result, the people of Ontario were totally

confused. They were still getting tax bills in 1999 for 1998 etc.

Today, they are saying that this bill is totally wrong. They say in their letter, which is dated today to the Minister of Municipal Affairs, "We have determined that there are serious negative implications for municipalities in this bill."

They say it's "unprecedented" for the minister to have a clause whereby basically he can change any act as it relates to these four municipalities without ever having to come back to this Legislature. They say it represents "a clear contradiction of the principles espoused by this government, namely public accountability and transparency of the process."

Why doesn't the government listen to our municipal clerks and treasurers? They can help them implement whatever they want. Without them, it's going to be totally—

**The Acting Speaker:** Thank you. In response, the member for Northumberland.

**Mr Galt:** I'd first like to compliment the member from Willowdale for some just absolutely brilliant comments in recognition of the presentations that have been made. The members from Thunder Bay, Hamilton West and Kingston and the Islands didn't do nearly as well in their two-minute responses.

It's interesting that the member from Kingston and the Islands was talking about this letter from the clerks and treasurers in connection with AMO. All four of these municipalities that we're talking about here with the restructuring, other than Toronto, had asked for help. They had asked for a special adviser, as 10 counties, and I think maybe now 11 counties, have asked for a commissioner. It is outstanding and certainly something that I'm sure the minister will be addressing in the very near future.

I think it's interesting that the member from Hamilton West was talking about trying to avoid personalities. I'll tell you, with the kind of flip-flop that's been going on in this House with the Leader of the Opposition, it's awfully hard to steer around that, because that does get kind of personal when you keep changing your mind. I don't know what else you can do in response.

The member from Thunder Bay was talking about permissive legislation and what the government might or might not do. I can understand why she'd be trying to distract from the kind of spending frenzy that went on in this province. When her government was here back in the late 1980s, it was spend, borrow, tax and put people into debt. It was just horrendous.

The NDP was bad enough. I can understand the way they drove us into a recession. They were trying to do something.

**Interjection:** They were socialists.

**Mr Galt:** We knew they were socialists and we knew their direction. We had no idea where the Liberals were going from 1985 to 1990, particularly 1985 to 1987, when that unholy alliance was in this province of

Ontario. The flip-flops at that time were absolutely exceptional.

Thank you very much for the two minutes.

**The Acting Speaker:** Further debate?

**Mrs Marie Bountrogianni (Hamilton Mountain):** Mr Speaker, I'd like to share my time with the member from Ottawa Centre.

Thank you for giving me the opportunity to be part of this debate on Bill 25. I'd like to start by acknowledging the integrity of the member from Wentworth-Burlington. He represents his constituents well. I'm one of his constituents. He's honest and he was put in an untenable position by his own colleagues.

Indeed, I respect the member from Stoney Creek for supporting him, although I am a little disappointed in the member's analogy of the dancing. I've noticed as a new member that there's a lot of dancing going on in these walls, and there are sometimes good reasons for the dancing. I know you've had a dance before becoming a Tory, and there were good reasons for that as well. I'd like to say that to the honourable member.

**Interjection:** The McGuinty two-step.

**Mrs Bountrogianni:** The McGuinty two-step. Let me remind you, and Mr Clark and Mr Skarica were there, that before our leader stated he could not support this bill in its present form, all five Hamilton-Wentworth members were on the Roy Green Show. I stated, and they nodded in agreement, that in this form it would be difficult to support this bill. If it was just a Hamilton-Wentworth bill, three of us would support it unanimously.

I think we served as very poor role models by treating the member for Wentworth-Burlington the way we did. I've spoken to a number of young people in the constituency and they're just shaking their heads. It's no wonder we're not trusted and it's no wonder we're sometimes not respected.

I was part of the constituent assembly a few years ago, as a citizen, and I was on the social services committee and I heard the same message from people who were either for one tier or not. I heard that we needed to be more efficient, that we lacked co-ordination and that it would be impossible to truly find a solution without some help. Indeed we had four proposals and they were rejected by the local politicians. I'm sure some of them have regrets today because, in comparison, what is being imposed on them now is much less than what they would have got had they been more compromising.

I applauded the appointment of Mr O'Brien—and, yes, we had a similar platform, an almost identical platform of how we would solve this problem—to gather information locally and give his recommendations. Unfortunately his recommendations were not implemented in the bill. Although I didn't agree with some aspects of the report, such as two seats to be shared by Flamborough, Dundas and Ancaster, I thought by and large it was a good report and going in the right direction.

Mr O'Brien, however, did not recommend that the Hamilton-Wentworth situation be voted on with four



other regions. That is setting a very dangerous precedent and I think some members across the House should worry about their own regions and the precedent this is setting for their constituencies.

Five MPPs in Hamilton-Wentworth have at least two differing views on what is good for the region. Why would we assume that what is good for Hamilton-Wentworth is good for the rest of the province? It's not that simple. It's not a flip-flop. It may be a dance, but it's not that simple.

Bill 25 does not implement, for example, the Shortliffe report's recommendation for bilingual status for the new city of Ottawa and it doesn't do it for Sudbury. So if I vote for this bill, which may be in the best interests of Hamilton Mountain, I would be voting for something that discriminates against the francophones in Ottawa and Sudbury. This is the type of position we're put in. This is the reason we're dancing.

Some members across should think about this because by the grace of God go I and you, and it may be your area next.

The other area which I cannot agree with is the sweeping dictatorial powers the government is about to give the cabinet, the power to change or scrap any law without any debate or vote in the Legislature. Such as the debate has become, it's still debate. The member for Hamilton West cited Professor Morgan's belief that this is a fundamental reversal of the way things are supposed to work in our system of government, and that this would also be open to constitutional challenge. Professor Magnet of the University of Ottawa is almost certain that this can be opposed constitutionally.

The other thing that I oppose, even if it should be at a very limited level, is the lack of public hearings. Details of the bill need and deserve public hearings. Everyone who works for organizations knows that in a proper process the final thrust of a report has to be vetted one more time by the stakeholders so that the details can be discussed.

The other unknown here is the industrial and commercial tax base. There are no references in the bill to what will happen. There is one reference in the report that taxes will go down. We've heard this before on Hamilton Mountain, in 1995. This isn't rhetoric, this isn't a dance. Taxes went up in the businesses on Hamilton Mountain: Limeridge Mall, Upper James. And I believe the member for Hamilton West has to begin to worry about the businesses in Westdale.

We'll hold the government to the promise made in the report that taxes will go down.

1750

It's been mentioned that a transition board will have humongous powers. It's almost scary what this board will have. They will be appointed. Are they going to be former unsuccessful Tory candidates? That'll be an objective process. Who pays for this? If it's imposed by us or by the government, shouldn't the government pay for this process? The Minister of Labour is rolling his eyes. I'm just asking the question.

**Hon Mr Stockwell:** I was listening to Tony. I wasn't listening to you.

**Mrs Bountrogianni:** OK, thank you.

The process is estimated to cost \$50 million. Should Hamilton-Wentworth pay \$50 million?

**Mr Christopherson:** No.

**Mrs Bountrogianni:** Thank you, member from Hamilton West.

This was imposed by the Harris government and it should be paid by the Harris government.

I support one tier as the member representing Hamilton Mountain but find it very difficult, and I said this before our leader said it, on the Roy Green Show with all the members present from the Hamilton-Wentworth region, because it is undemocratic, very possibly unconstitutional and financially not in the best interests of the region.

If the government separates the bill into five bills, if it holds public hearings, and if it pays for the transition process, I will vote for it.

**Hon Mr Stockwell:** The sun doesn't come up tomorrow.

**Mrs Bountrogianni:** The sun doesn't come up tomorrow, no, not in this place, that's for sure.

I'll vote for the bill then and only then. In its present form and on principle I cannot in good conscience vote for this bill. I resent being put in this dilemma, and on behalf of my constituents will monitor the transition process very keenly and aggressively and fight for their best interests.

**Interjection:** Dominic will tell you how to vote on this.

**Mrs Bountrogianni:** Dominic will not tell me how to vote and I resent your insinuation, that you think I can be moulded that easily. I have actually not decided how I'm going to vote. I just don't want to vote for an undemocratic and unconstitutional bill, but I repeat that I resent being put in this dilemma, where something I have stood for is opposite to what I may have to do. And, member for Stoney Creek, if you consider that a dance, then I'm a good dancer.

**Mr Richard Patten (Ottawa Centre):** I'm pleased to participate in responding to this piece of legislation. It's very significant to my community and I want you to know that I've been a vocal proponent of a single-tier, unified city of Ottawa, publicly and privately. I believe that most of the people who have made representation to my office—indeed I'd say about 20 to 1—also stand on that.

This was reflected in a presentation that I made to Mr Shortliffe on a personal basis. I made a number of recommendations, some of which were not in his particular recommendations, but by and large I was pleased with what he had.

I supported the basic concept that was contained in the recommendations by Mr Shortliffe, but I'm disappointed that the government didn't listen to certain recommendations he made and added some of their own that cause me difficulty now to support this bill. Why? Because I am

the representative for Ottawa Centre and I have a responsibility obviously to represent the people from that area. Many of them said they wanted one bill. They believed this was going to be something that would lower taxes. They also believed this would be something that would be more efficient. We have a representation to the outside world that it would be Ottawa rather than a confusion of a whole variety of municipalities. Fair enough.

I'm sad to say that I have some very serious doubts, and I want to tell you what those doubts are. In my opinion the government has done a disservice because now we're in an awkward position. I don't believe I'm the only one; I think some of the members on the other side also share some of my concerns.

The first thing is this tax differentiation. Mr Shortliffe recommended that there be a pooling of resources. That meant pooling of liabilities and assets, pooling of debt and capital assets, whatever they may be. That was acceptable. Back in my community that is acceptable, especially in Ottawa. Now we find there's a very serious problem with this. How come we have now a differentiated arrangement according to each municipality? If they have a debt, they're going to have to carry it, but their assets will be pooled.

What does that mean? What it essentially means for the sake of this bill is that Ottawa will get burned. It means that Ottawa, for example, will be required to sell its city hall. We won't need two city halls. We'll have to sell most of the city halls. Will they be able to write that off on the debt that they carry in the municipality? No, they won't. Can you imagine? The people of Ottawa paid for the city hall. They're paying for this year in and year out. So there's a basic flaw in all this.

Why is this so? The reason it's so is because you have a minister from Nepean who is very proud to say: "We have reserves in Nepean and we have no debt. Why should the people from Nepean provide support for any other area?" So Nepean becomes more important than Ottawa and the whole rest of the region, because Ottawa isn't alone in its debt.

The mayor of Ottawa, Jim Watson, quite correctly dubbed this bill the thumb in the eye bill, a thumb in the eye to the city of Ottawa taxpayers. He said: "If we sold our city hall, it's worth an estimated \$85 million to \$90 million. All of that money would go in and everyone in the new area would share in that, even though we're the ones who paid for it. With transfer payments, that's going to be shared by everyone, but our debt stays with us."

This is like saying: "Thank you very much. Keep the mortgage on your house. We're taking your house and selling it and we're sharing it with whomever else." That's what it amounts to. How can I support that? Obviously I can't support that. The CFO of the city of Ottawa has come out and done an estimate and said that if this is the case, they're stuck with their debts and none of the assets, none of the library buildings, whatever they may be, all their computer systems, whatever. If any of that is not taken into account and we have to absorb everything

and we lose all our capital assets, we're talking about an average of \$160 to \$180 a year per property taxpayer. The property taxpayers did not expect that for the city of Ottawa, but that's what's going to happen. That's one provision.

John Baird, of course, thinks Nepean is more important than the rest of the region and he wants to stand by it. He wasn't supportive of one-tier government, he was supportive of three, and he wants to maintain, I suppose, his own particular position, so now he's going to make it very difficult for the largest municipality in the whole area.

The other part that's really important is that it's not only the city hall. I'm reading from the city's report:

"In the year 2000, for example, the city's savings account, their reserves, will grow significantly as a result of the city's investment in Ontario Hydro and the subsequent recapitalization of the utility. This will result in a payment of \$105 million to the city. Council has decided to place all of these funds in reserves and not to spend them. These assets will be brought to the table in any municipal restructuring and the values of the reserves with the \$105 million from Ottawa Hydro would be sufficient to offset the city's total debt in any governance scenario where reserves and debts are attributed back to the originating municipality. In other words, the money received from Ontario Hydro effectively means that by the end of 2000, in a year, the city's outstanding debt of \$106 million will be matched by cash reserves and in fact would not be a cash liability in any other municipality."

I ask you, why is this being done? I warn the citizens of Ottawa: You've got to hear this message, because when you see it and realize—you thought you would get lower taxes and you thought you would find savings in this. I'm telling you that under this particular scheme you will not get any savings.

Transitional funding: Why is the government not providing transitional funding? Perhaps it intends to. Let's hear what it is before we pass this piece of legislation. They provided it for Toronto when it was amalgamated, so they know it's the right thing to do. There's no question about that. Using the same formula that was used for the Toronto transition costs, Ottawa should have been budgeted about \$75 million from the province—maybe it's a little less, maybe it's a little more, I don't know, but at least look at that formula. That's money that could be well used by the municipality.

I shouldn't have to detail to the members all the implications of this for employee payouts, for capital losses, for inventories and accounting, new records, databanks, capital projects, communication strategies to inform the public etc. The government provides for transition costs in Toronto and in Chatham-Kent. The responsible thing to do here is also to help and ensure a smooth transition in Ottawa-Carleton.



1800

## ADJOURNMENT DEBATE

**The Acting Speaker (Mr Michael A. Brown):** Pursuant to standing order 37, the question that this House do now adjourn is deemed to have been made. The member for Thunder Bay-Atikokan has given notice of dissatisfaction with the answer to a question given today by the Minister of Health. The member has up to five minutes to debate the matter and the parliamentary assistant may reply in up to five minutes.

## EMERGENCY SERVICES

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I gave notice of my dissatisfaction with the Minister of Health's earlier answer because I have become increasingly frustrated. I don't think "frustrated" is really the exact term; I've become increasingly concerned that this government, through the minister and through the Premier, absolutely refuses to accept any responsibility for the crisis that exists in emergency rooms across this province. Because they refuse to take any responsibility for the crises which exist in our emergency rooms, they are also refusing to take any action, which might be necessary to save lives.

I am concerned more than frustrated because I'm genuinely worried that if this crisis continues to build, as it is building literally daily and weekly, then we are putting patients' lives in danger. We saw that too tragically perhaps with the death in Toronto in the back of an ambulance yesterday.

I think it's important that the government acknowledge that this is not something that is a rare occurrence, that it happens at peak times—flu season, as the Premier tried to suggest. This is a situation which is potentially a crisis day after day in hospitals across Toronto, where a week ago we had a situation in which 23 out of 25 GTA hospitals were either on emergency redirect or critical care bypass.

This is happening at a time when it's not supposed to be a peak time. The peak time is yet to come. The peak time is over Christmas. The peak time is when flu season hits in full force. The peak time is when we have winter driving conditions. If hospitals are experiencing so much difficulty keeping their emergency rooms open to critically ill patients now, what's going to happen when we hit the real peak times?

The government put some money in. They said they would fix the emergency room problem once and for all. So they put some money in and they said: "You can open some beds on a temporary basis to deal with the problem at peak times." First of all, how does the hospital know that the crisis is going to be there in time to get the beds staffed and open? They need to have flexibility to be able to deal with the unpredicted and the unexpected when it

hits. That flexibility doesn't exist in our hospital system right now.

It's not just a Toronto problem; it's a problem right across the province. In Ottawa last week, there were 48 patients in emergency rooms waiting to get a bed in an Ottawa hospital, and there was not a bed anywhere in the Ottawa area for anyone of those 48 people. That's a crisis. That means we're running a system that's much too tight to deal with emergencies. That's why emergency rooms shut their doors. It's because the patients are on stretchers in the hallways. They're on beds in the emergency room hallways. They have so many people that they don't have enough emergency equipment to deal with them. Those patients are in emergency room hallways and on stretchers because there isn't a bed for them in the hospital because this government has cut back on hospital beds much too drastically.

The average bed occupancy in hospitals across the province right now is 95%. The hospitals tell us that anything over 80% occupancy reduces their flexibility to respond to emergency situations. The average now is 95% occupancy.

In the GTA, where they have had growth problems they have been begging this government to deal with now for three years, they are running at 98% occupancy. What did this government do to the GTA four years ago? They gave them their share of the hospital cutbacks of \$800 million, making the problems in the GTA even worse than they already were with their high-growth demands.

The Hamilton Health Sciences Centre has gone through its restructuring. They've followed the directions of the hospital restructuring commission. They restructured along the lines the commission said. The plan the commission put in place still leaves the Hamilton Health Sciences Centre running much too tightly to be able to even keep open the emergency room sites that the commission left open in Hamilton. That's the kind of system this government is prepared to build in on an ongoing basis.

What the minister said yesterday was that we will solve this problem by creating regions and we'll make sure that one hospital in each region is actually open. It wasn't enough that the hospital restructuring commission came through and shut down emergency rooms in all of the 22 communities that it visited; the government has gone one past that and said: "We're not even going to provide enough resources to keep open the emergency rooms that the hospital restructuring commission supposedly left open in its grand design."

I don't think that's adequate. I think regional government is one thing, and we've been debating that all afternoon, but I can tell you, regional emergency departments are not going to fly with the people of this province.

People expect to be able to get emergency care close to home. They expect to be able to get it quickly. They don't expect to have ambulances not just having to go from one hospital to the other looking for an emergency room that's open, but they don't expect the answer is

going to be that the government says: "We'll tell you which emergency room is open. It doesn't matter how long it takes you to get there. If it's seven or 10 or 15 minutes further, at least we can tell you there is one hospital that will keep its emergency room open somewhere in your region."

Does that mean somebody from Newmarket is going to have to go Oakville because it's all in the GTA region? That's not good enough. People want to be able to get the health care they need in this province. They have a right to it. They most certainly want to be able to get emergency care when they need it. They want to be able to get a hospital bed when they need one, and this government, after shutting down some 8,500 beds since 1995, is denying that basic right.

**Mr Dan Newman (Scarborough Southwest):** I am pleased to respond here tonight as the parliamentary assistant to the Minister of Health and Long-Term Care.

The issue of prompt emergency care is very important and there are no easy answers, but we, unlike other governments, are doing something about it. I think what's important to note is that emergency rooms are a problem right across Canada. It's not something that's happening just in Ontario; it's happening right across Canada. You have to ask yourself, when you have Liberal governments, PC governments and NDP governments across the 10 provinces in Canada, which government do they have in common? They have the federal Liberal government in common. The federal Liberal government ought to be putting more money into health care, giving it back to the provinces.

The provincial Liberal government in Ontario from 1985 to 1990 had the opportunity to fix emergency room access when they were in power. What did they do? They chose to do nothing. They chose not to address the situation at hand.

Health care horror stories were happening when the member opposite was in power, when she was a minister of the crown. I have a list of health care horror story headlines about patients on their way to overcrowded emergency rooms in 1987, 1988 and 1989, and those were years when the Liberal Party was the government in Ontario.

From the *Toronto Star*, January 5, 1988: "No Room in Metro, Critically Ill Newborn Flown to Buffalo." *Toronto Star*, June 4, 1988: "Triplets' Mom Flown to Kingston Because Toronto Could Not Cope." *The Ottawa Citizen*, December 26, 1987, almost 12 years ago: "Diverted From Two Hospitals, Woman Dies." *From the Ottawa Citizen*, December 24, 1987: "Two Area Ambulance Drivers Criticize Rerouting Patients from Hospitals." It goes on and on. I have literally pages of quotes showing that this problem existed back when the Liberal Party was the government of Ontario.

As I've said on many occasions, Liberals never like to let the facts get in the way of a good doom-and-gloom speech on health care, and a doom-and-gloom speech is what we heard this evening from the member for Thunder Bay-Atikokan. Our government, the Mike Harris

government, is actually doing something to alleviate the problem. I know it's her job to criticize, but let's look at the facts. It's this government which is being proactive with new ideas in trying to alleviate this situation.

The Ministry of Health and Long-Term Care has met with several Toronto hospitals, Toronto Ambulance and CitiCall. There are a number of short-term decisions, including establishing a three-cluster system that will look to alleviate the problem of too many hospitals being on redirect consideration or critical care bypass.

The goal of establishing the three-cluster system is to allow hospitals to work co-operatively to maintain access to emergency care; to allow them to better follow redirect consideration and critical care bypass consideration, only invoking that status when it is absolutely necessary; also, to attempt to be more aware of the status of other, nearby hospitals.

Again, I know it's her job to criticize the government, but I don't understand what her motive is in making me come back here tonight to explain a good news story. I don't buy her argument and neither do others.

Let's hear what Ron Kelusky has to say. Today on CFRB, December 14, 1999, he said: "I don't think the wheels are falling off the system, by any means. If you're really sick, we have a good system to help you." Mr Kelusky also said, "Well, everything is evolving and I think what they're finding is that this system was designed on a model about 30 to 40 years old, and as these reforms are taking place and as the changes and new demands are taking place, they're finding now that different models of administering the system have to be looked at. I think it's part of the evolution process." Ron Kelusky, for everyone's information here, is the general manager of Toronto Ambulance. He, of all people, would know what this government is doing.

1810

Ours ministry is continuing to restructure, continuing with bed expansion and the expansion of community-based services. We've increased hospital funding by \$400 million, made the largest health care reinvestment in the province's history, a \$1.2-billion investment in 20,000 new long-term-care beds, after we saw in our province 10 years of no new long-term-care beds being built.

We saw \$3.2 billion for capital projects like new emergency rooms like the one in Windsor.

I don't know what the Liberal plan is for health care. Quite frankly, I don't think they know what the plan is for health care. As I said earlier, the Liberals never seem to let the facts interfere with a good doom-and-gloom speech on health care, and a doom-and-gloom speech is what we heard from the member opposite this evening.

**The Acting Speaker (Mr Michael A. Brown):** The member from Sault Ste Marie has given notice of dissatisfaction with the answer to a question given today by the Minister of Community and Social Services. The member has up to five minutes to debate the matter, and the parliamentary assistant may reply for up to five minutes.



## CHILD CARE

**Mr Tony Martin (Sault Ste Marie):** Tonight I'd like to take on the minister or his designate head-on re the tired old rhetoric that we hear from them every time we raise this issue of child care and the reduction in service across this province.

I want to present to the minister or his designate some of the numbers I have that come from the public accounts that this government has tabled, the estimates that this government has tabled and some research that the legislative library has done for me. These numbers don't lie. They tell it like it is, and I want to present them to the minister's designate tonight.

I also want to talk to him very clearly and directly about an example of how this thing is beginning to unravel for them—the Elliot Lake Day Care Centre—and ask him to respond to me in direct terms to that challenge as well.

Child care spending in the province of Ontario was \$583,586,759, according to public accounts, in the year 1994-95. This included \$40 million in capital funds. The Jobs Ontario initiative created 9,000 child care spaces subsidized by the province at 100%. Under the Tory government, so far, according to the research of the legislative library, the Tories cut 10,000 subsidized child care spaces in Ontario.

According to the estimates of the Tories, they are spending \$561,775,100 this year. That's \$22 million less than the NDP was spending. Last year, according to public accounts, the Tories spent \$574,219,514 on child care. That's \$10 million less than the NDP was spending. They counted a \$19-million pay equity expense. It shows up as broader public sector spending and is included in their totals.

According to the Ontario Coalition for Better Child Care, when dollars spent to provide spaces to families in the province are counted, the Tories are spending \$100 million less than the NDP was spending. There are no capital funds in the child care spending of the Tory government. That is why daycare playgrounds will have to close in order to comply with stricter safety standards.

The NDP warned that the downloading of child care to municipalities would result in daycare closures. Now, today, we see the closure of the Elliot Lake municipally funded daycare, the first municipal-run daycare centre in the province to close, and I dare say it's just the beginning of many more.

This minister has stood in this House several times to make ridiculous spending claims. The truth is that in this year, you are spending \$22 million less than we were spending in our last year in government. If you look at dollars spent to provide spaces to families in this province, you are spending \$100 million less than we spent. The truth is, they cut 10,000 subsidized child care spaces in Ontario. The truth today is that your cuts are costing Elliot Lake its daycare centre and that communities across this province will soon suffer the same fate.

Fifteen workers in Elliot Lake will lose their jobs; 55 children will be left without care.

I'm asking the minister today to reverse this \$100-million cut that they made to child care before Ontario's child care system is devastated. I want the minister or his designate to think for a second about Elliot Lake, a daycare centre that was started some 24 years ago. I was there. I lived in Elliot Lake at that time and I know of the excitement and the enthusiasm, and so do you, of those folks as they set that centre up and they looked to the future to have it develop and evolve—people like Cathy Haley and Annette Dixon, who have given every ounce of their blood, sweat and tears over the last 24 years to make sure that daycare centre was the best it could be for the folks they serve, for the children and the families they serve. So many other people in Elliot Lake gave of their time and energy to make sure that daycare centre was one of the best in the province. Alas, today we see that because of a lack of foresight, concern and attention by this government, this daycare centre is going to close down.

The minister has a chance to respond. There was a letter sent to him by the Algoma district services board CAO, Mr David Court. In it, he outlines work that has been done by the community to develop some alternatives and some potential answers to the problem that confronts them.

I would ask the minister to please respond to Mr Court, please respond to this community, please respond to the 15 workers who are going to lose their jobs, please respond to the 55 children who will be left without care, and maintain the funding for this centre that is so valuable to the folks in Elliot Lake.

**Mr Bart Maves (Niagara Falls):** It's a pleasure to stand here tonight in the minister's stead to answer the question from the member opposite.

The member has brought forward some numbers—he did some research, obviously—from the legislative library. The problem with his numbers is that he's simply not comparing apples to apples, but apples to oranges. Children are such a large priority for this government that we have spent more, and we are spending more today, than ever before in the history in the province of Ontario on child care, that being \$738 million this year alone. The numbers easily bear that out.

The member raised a specific issue earlier today. I'd like to try to address that for him.

You have to understand that child care is funded on a 80-20 basis in the province of Ontario—80% from community and social services. We pay 80% of the gross operating costs of child care fee subsidies. Effective January 1, 1997, a regulation amendment was approved which allowed municipalities to include fees from parents who receive partial fee subsidies towards their 20% municipal share. Prior to this regulation, community and social services provided an 80% subsidy of the operating cost net revenue from parents in need; that is, revenue from parent fees was subtracted from operating costs to determine the municipality's net cost.

At the time of this regulation, we said the use of parent fees towards the municipal share of fee subsidies was simply a temporary measure to help municipalities through the transition to their new responsibilities under local services realignment. We've given that two years and now we're relieving that temporary measure.

It's not a cut to child care funding, you should know. The proposed regulation will require municipalities to pay their mandatory full 20% share and not use parent fees to meet their contribution.

As I said, it's important to note that because of this change to how fee subsidies are used, our budget for child care will not decrease and, in fact, more than likely will increase over the coming years.

I looked at a copy of the local services realignment for the city of Elliot Lake and noted that they were actually a net beneficiary by an amount of about \$55,000 on the local services realignment, which allows them some leeway because their grant and their education taxation, which they're allowed to keep, exceed their costs during local services realignment by \$55,000.

On top of that, I note that they have estimated OMERS savings in 1999 of another \$273,000. So there's plenty of cushion for Elliot Lake to absorb this change, going back to the original intent of an 80-20 split between the province and the municipalities.

On top of that, I took the chance to look up where the district of Algoma was on their welfare numbers and I noted that, like many other areas of the province, they are down substantially in the number of people who are on social assistance. As you would know, again the funding

formula is 80-20 for people on social assistance. So when there is a decline in the number of people on social assistance in any municipality, 80% of that cost accrues to the province and 20% of that cost accrues to the district. There are over 1,000—the number I have, actually, as of October 1999 is 1,084—fewer people on social assistance today in this district than there were in 1995.

There's a lot of different ways, a lot of different cushions that have been built in, through local services realignment, through the decline of the number of people on social assistance, also in the decline of rate that they actually pay people on social assistance, where there's quite a bit of cushion for them to absorb this rebalancing of the 80-20 formula for fee subsidies.

While I have 44 more seconds, I'd like to reiterate. Of the \$738 million supporting parents in their child care needs in this province, some of the ways that we actually do that are: We provide fee subsidies, we provide wage subsidies, we provide resource centres, special-needs resources. We've recently provided \$40.2 million through Ontario Works, another \$25 million through the LEAP program, and \$200 million through the Ontario child care supplement for working families.

What all this means is that since 1995, the actual number of licensed child care spaces in Ontario has increased over 15%. That's an increase of 19,000 spaces.

**The Acting Speaker:** Thank you. It being well past 6 o'clock, this House stands adjourned until 6:45.

*The House adjourned at 1822.*

*Evening meeting reported in volume B.*



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(Hansard)**

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**Tuesday 14 December 1999**

**Mardi 14 décembre 1999**

Speaker  
Honourable Gary Carr

Clerk  
Claude L. DesRosiers



Président  
L'honorable Gary Carr

Greffier  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 14 December 1999

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 14 décembre 1999

*The House met at 1845.*

### ORDERS OF THE DAY

#### PENSION BENEFITS STATUTE LAW AMENDMENT ACT, 1999

#### LOI DE 1999 MODIFIANT DES LOIS CONCERNANT LES RÉGIMES DE RETRAITE

Resuming the debate adjourned on December 13, 1999, on the motion for second reading of Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996 / *Projet de loi 27, Loi modifiant la Loi sur les régimes de retraite et la Loi de 1996 sur le régime de retraite des députés.*

**The Deputy Speaker (Mr Bert Johnson):** Further debate?

**Mr Michael Gravelle (Thunder Bay-Superior North):** I'm glad to have the opportunity to join debate tonight on Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996, which is actually significant. We had some debate last night that was rather extraordinary for its intensity, particularly expressed by my colleagues, and the member for Renfrew-Nipissing-Pembroke in particular, about the fact that we really are now in a situation with this legislation where there are some elements of it that are indeed ones we strongly support. We strongly support the ability of people in deep difficulties in a financial sense or through catastrophic illness to access their retirement benefits in a fashion they hadn't been able to. I have had constituents contact me in that regard and I had written letters to the Minister of Finance in relation to that, hoping it would be done.

What's unfortunate is that in the midst of this valuable and necessary legislation, we see an element thrown in relating to the MPPs Pension Act of 1996. At that time it was ensured that the members who had been elected before 1995 received a benefit which they were not able to access till the age of 55, and they were then subject to a locked-in retirement benefit. This legislation before us today basically brings forward a benefit to those members, 61 of them who are still in a position to receive it, that is not accessible to other members of the population, other citizens of this province. In other words, it provides a very special benefit to members of Parliament, which those of us in the Liberal caucus find unacceptable, abominable in fact.

My colleague from Renfrew-Nipissing-Pembroke is one who, as he pointed out last night, would benefit perhaps the most or more than any others, although certainly the Premier, the Minister of Finance and various other members of the government side would also benefit from it, by allowing them to access their retirement benefits as an RRSP type of benefit. To be able to take the entire amount out, if they so wish, is not allowed to any other, and it's quite stunning.

What this comes to ultimately is that it's a real test here, I believe, for those of us who are here representing our constituents, all 103 of us. I would hope the government members would be conscious of that and will be doing what they can to persuade the Minister of Finance to amend this bill, to change this bill, in fact to withdraw the bill, to take out the aspect which is of such benefit to MPPs.

We have people who tend to be pretty cynical about politicians these days, and I understand why it happens and why it's happened. It's very important to me that I represent my constituents, obviously, in a hard-working manner, one where I try very much to be open and honest, and certainly one where I do not expect to receive a benefit greater than anybody else in this province is able to receive. So what's happened is that we are now in a position where, if this legislation goes through, members of Parliament are going to be treated in a far more favourable fashion than members of the rest of the province. This perhaps explains, this rather extraordinary benefit, why people feel very cynically about politicians.

The reasons this bill has been brought forward are startling. As I said, the aspects that affect the general population in terms of allowing access for those people with catastrophic illness or those with real financial hardship—and may I say the MPP pension changes don't need to be there, because they would also be able to make their case to the superintendent who will be in charge of this, in terms of catastrophic illness or financial hardship; they could still do it. To add this extra part that really gives them an extra benefit is something we find unacceptable. Frankly, all 103 members of this Legislature should find it unacceptable. There's no reason in the world why we should be getting a special benefit that is not available to all citizens of this province.

Again, it comes down to this: Do we want the people we represent to believe that we deserve to be here for the right reasons, that we're here to fight for the best for them? I would submit that, based on the government's actions in putting forward this bill, that is not the case.

It's rather sneaky too. There's no question. The elements of the bill that are very, very good are being threatened by the fact that there is this other aspect of the bill which benefits members of Parliament, particularly the 61 who would be benefiting. For people like myself who were elected in 1995, it doesn't even have any impact on us, but for those who were elected before that, it has an extraordinary impact on how they can access their retirement benefits. As I said earlier, we very strongly feel this is the wrong thing to do.

You want to hope that the government would at least be true to its word. We know that on April 10, 1996, the finance minister stood up and made it very clear that this was a locked-in retirement benefit that was going to be going to members of Parliament, one that they would be able to access in a certain fashion, where they wouldn't have the freedom to simply withdraw it all. And there were some rather extraordinary payouts, as you know, for members. The whole purpose of course was to get rid of the gold-plated MPP pension. This is how the government sold this, how they ran in their 1995 election: "We're going to get rid of those gold-plated MPP pensions. We understand that people won't put up with that any more." We all supported that. Then, three years later, to try and sneak something through—which obviously we're not allowing them to do because we're speaking strongly in opposition to it—that would change that act and give a special benefit to members of Parliament is something that the government should be ashamed of. That really is pure hypocrisy, as far as I'm concerned.

We see so many examples of actions that this government has taken that make people cynical. We recognize that people sometimes feel quite cynical about their politicians. I know they don't feel that way about you, Mr Speaker, and I hope they don't about me, but I recognize that we're all put in this big pot called "politicians" and people feel pretty much that sometimes we're just out for what we can get for ourselves.

When I first ran in 1995, it was very important to me, and it continues to be, that the priorities of my constituents and the people I'm fighting for are what it's all about. I've said, certainly to many people in Thunder Bay, that this is the best job I've ever had and I'm very proud and honoured to be in this position. I hate to see it sullied by the actions of this government by putting forward legislation like this when they know full well parts of it are very important to get through. So what do they do? They sneak in this other aspect of it.

We have seen so many actions by this government that have made people cynical. You've got a Premier who runs a campaign in 1995 based on no new user fees, and what happens? Suddenly seniors and people with disabilities are charged user fees for prescription drugs, \$250 million a year going into the coffers of the province, based on a promise that is absolutely broken.

Even in terms of property taxes, we see a government that apparently supports business creating extraordinary havoc for the small business community in this province. Certainly those in my riding are incredibly upset about

the fact that they needed to get through eight pieces of legislation to get to the final property tax bill, which ultimately ended up meaning that people who had received decreases were having them clawed back.

There are all kinds of reasons why this government continues to make people feel cynical. I'll tell you, this particular piece of legislation is something that the government should not be allowed to get away with. It is not appropriate. It is not right. It is not morally right to allow members of Parliament, the 61 who are in this particular plan, to be able to access it in a more favourable fashion than every other citizen in this province. It appals me that they tried to sneak it through.

One could speak about why we think it's happening or why this legislation is going forward, and I'm not going to, in the sense that I have some of my own suspicions as to who perhaps wishes to access it and why they do. I hope it's not the case. The important thing is that this legislation needs to go forward for the parts that are important. Quite frankly, it's rotten of the government to sneak in this particular aspect of it.

*Interjection.*

**Mr Gravelle:** You know it is wrong, morally wrong to sneak in this benefit to members of Parliament that is better than a benefit that'll go to any other citizen.

*Interjection.*

**Mr Gravelle:** If you want to complain, please complain, but tell me, how could it be right to have a piece of legislation that includes a benefit to members of Parliament that is not equally available to all people who live in this province? Please explain. There is no explanation for it. It's quite astounding. Again it makes one think about the things the government said they would do and it makes one think about why people have become so cynical about politicians.

**1900**

The truth is, we should be making every effort we can at every turn, regardless of what party we are, to clearly do the best we can for our constituents and for the people in this province. I will even accept that the government believes that their way of doing things is the right way to go. I'm not one to talk about "evil" this and "evil" that; that is not my belief. My belief is that you believe your approach is superior to ours, and that's what democracy is all about, and you're sitting there and I'm standing here.

But it's very important that people do not look at us as trying to give ourselves a certain advantage, and that's what is coming out of this legislation. It seems to me that it's entirely possible for the Minister of Finance, based on his own remarks back on April 10, 1996, that this would be a locked-in retirement benefit, to withdraw or take out this part of the legislation that favours the members of Parliament.

I heard my colleague from St Paul's last night talking about the president of the United States previously having what was called a line item veto, where he could take out the piece of legislation that he didn't like, just take it out, which apparently the Supreme Court is not allowing



them to do any more. He could veto entire bills. The point is, that that's what we need. We need a line item veto here to take out this part of the legislation.

I defy any member on the government side to explain to me why this particular part of the legislation needs to be there. It's especially upsetting because of the elements of the legislation that are so crucial to people who really need this help; the legislation is quite sensitive to that. Those who have catastrophic illnesses and those who have severe financial hardship will be in a position, as a result of this legislation, to potentially access the funds. That shows a sensitivity and recognizes a need in our society. It's one we should thank the government for, and I will right here do exactly that.

However, to sneak in this particular other aspect—and that's all it is, to sneak it in. Granted, it's actually on the bill. But why put it in there when you know what the reaction is going to be? The only reason to put it in there is because some people want to change the benefit that the MPPs who were vested are able to receive. Somebody—as in the government—wants to allow them access to something that's special, that gives them a special advantage over anybody else.

#### *Interjection.*

**Mr Gravelle:** Again you're heckling me. I hope you speak in the two-minute opportunity, if only because I want to hear how you can possibly explain why there should be this special benefit.

The whole essence of what we do is to try to gain the trust of the people we represent, to recognize that people for many years have developed a series of negative impressions about politicians, which I personally think are frequently unfair. Having said that, how often do we sit here in the Legislature? We sat seven days up to October 25. We're going to sit until next week—I'm glad to hear that we're sitting until next week—and then we may not sit for three or four more months. People say to me, "I hope you enjoy your vacation." Like many members, I'll be working very hard during the break. I'll be going to my new huge riding which came about because they reduced the number of representatives. I get a little defensive about people saying that, but I don't blame them, because I recall that before I was elected I thought the same thing: "Why don't they sit more often?" It makes them cynical. The fact is that we need to find ways, in essence, to make people believe in us again, and a piece of legislation like this, I strongly believe, works against that in a rather dramatic way.

I implore the government, implore the minister, to recognize what is happening here as a result of this legislation. Very important aspects of it are being threatened, because I believe it's impossible, and should be for all of us, to vote yea for a piece of legislation that affords a greater benefit to members of Parliament than to every other citizen in the province. There's something very wrong with that.

#### *Interjection.*

**Mr Gravelle:** I'm sorry I can't hear your heckling, because it appears that you're trying to respond to me. I

do want to hear what you're saying, because it's just beyond me. I don't understand how you can possibly justify that, let alone why it would be put in this particular piece of legislation. Why couldn't it have been a separate piece of legislation? If you wanted to put it forward, why couldn't it have been a separate piece of legislation? It's like a poison pill, you know; you slip it in. It's not acceptable.

We have to recognize that we need to work every day to gain or regain the trust of our constituents and the people we represent. It requires us to be absolutely honest and not only to not have any extra advantage but not to appear to. That's where I think we've got a real problem. There appears to be an obvious extraordinary extra benefit being afforded to a very special class of people, 61 of them, some still sitting in the Legislature today.

My colleague from Renfrew-Nipissing-Pembroke spoke incredibly eloquently last night and made it very clear what his position was. I know that everybody always respects his remarks, as he speaks in an extraordinarily articulate way. But he was speaking very much from the heart. It was very important that he explain to the Legislature what his position was, being somebody who, because of his tenure in the Legislature, having been elected I believe in 1975, ultimately potentially could benefit the most. He opposes this piece of legislation based upon the fact that he doesn't believe that he or anybody else should get this special benefit.

It's disturbing to speak about this, from the point of view of hoping and believing that ultimately, despite our differences, we all want to achieve the same goals, we all want to be trusted and believed in by our constituents and by those we represent. A piece of legislation like this is quite shameful, because it literally is tacked on, sneaked in, only so it can be done on the back of legislation that's absolutely vital we pass. It's a dreadful way to do it, and you know it. That's what's so bothersome about this. I know that in your hearts as you sit there you recognize that this legislation shouldn't be going forward the way it is. I'm sure the Minister of Finance recognizes that. He will recall his own very strong comments made in the Legislature, which made it clear what the purpose of this pension act for MPPs was back in 1996. I certainly call upon you to look deeply within yourselves before you stand up and vote in favour of this, without asking the Minister of Finance to remove that special benefit. That shouldn't be there.

There's absolutely no reason in the world why members of Parliament should get access to a retirement benefit that is not available to everybody else in this province should they be in the position to have a retirement benefit. I don't think that's arguable. That's incontrovertible. I mean, there's no question about it: You shouldn't have a special benefit because you're a member of Parliament.

If you want people to truly believe in us again, to actually believe that what we're doing here is for the best purpose, to help them out, regardless of the fact that we may have a different belief about how we do it, then legislation like this is very much a very big step backward.

I feel strongly about it because I recognize that ultimately we're all tarred by this. We're all going to be tarred by this. I can say to somebody when they approach me, "I'm not going to benefit from that," which is true. But it doesn't matter; they will believe I have. It's like the beliefs many have that I do have a great big pension coming up some day, if I last long enough. The fact is that's not what it's about. It isn't what it should be about to be in this place. We're here because we were fortunate enough to get elected by our constituents to represent their interests, and representing their interests does not mean voting in favour of legislation that will improve our interests personally or the interests of members of Parliament in the future.

I feel strongly about this. I'm glad I've had an opportunity to speak about it, and I certainly hope the members on the government side will think about this and try to do what they can to get this odious aspect of the bill removed so we can move forward with the legislation that we know is important and should go forward in this bill.

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**The Acting Speaker (Mr Tony Martin):** Comments and questions?

**Mr David Christopherson (Hamilton West):** I want to commend the member from Thunder Bay-Superior North on his excellent comments. I share some of his concern about what this does in terms of how people view their own elected people.

The problem with Bill 27, in part, and I'll be able to expand on a lot of this when I get my opportunity shortly, is that the government, it would appear, has loaded up what they think—and I'm going to question that, but what they think—is a huge benefit to an awful lot of ordinary citizens in the first part of the act and sort of tucked in the MPP part as an addition, hoping that no one would really pay attention. That alone taints the whole thing.

I also agree with the member for Thunder Bay-Superior North when he comments on where this government has been vis-à-vis the issue of MPP pensions, and he's right that we all get tainted. Mike Harris thought that he was doing this great populist thing by going after the MPP pension plan, not to the point where he pared it back so that it wasn't gold-plated but reflected a little more reality. No, that wasn't good enough. He went all the way to the point where everything was eliminated, and in part this is here probably—I don't know this for a fact, but I suspect—because he's gotten some pressure from his own backbenchers, who have said: "You know, I think we went too far. And guess what, Premier? When I went door to door, people thought we still had the gold-plated pension plan just like the feds do anyway. We didn't gain anything, and now I'm worried about what's going to happen when I will leave office."

I say this with such sincerity, as much as I can bring to it: None of us ever wants to see a repeat of what we've seen with a previous colleague in the last few years. I think that's the offsetting element of this debate.

**Hon Jim Wilson (Minister of Energy, Science and Technology):** It's just a pleasure to add my two cents' worth to this debate. Those members who are criticizing the MPP pension aspect of the bill don't know what they're talking about at all. For those of us who were elected in 1990 particularly—and I am one of about three who have a right to completely stand up on this issue. I would have been totally pensioned out at \$78,000 a year for the rest of my life at about age 42. I figured out that if I lived to age 73, that's about \$2.6 million that I personally gave up. I don't get anything. All of us get less than our secretaries do today, with a 5% RRSP contribution locked in, even under these rules, till age 55.

Those were not the rules I ran under, but I did run with Mike Harris and this party, the Conservative Party, to scrap the gold-plated MPP pension plan. This is simply a finalization, the final roll-up, of the gold-plated MPP pension plan. To be against this part of this legislation says to me that you're in favour of gold-plated MPP pension plans, because the only other option is to go back to where we were.

Let's wind this plan up. Let's make sure the public understands that we do not have pensions like our federal members, and that many of us, under the leadership of Mike Harris and all colleagues who voted for this in this House a few years ago to scrap the plan, made a tremendous personal sacrifice and our families made a tremendous personal sacrifice, because the pay was not adjusted after the pension went, which would be a normal thing that would happen in the private sector. In fact, in the private sector, I don't know in the history of Canada of anyone who has voluntarily given up their pension plan in this way.

So you should concentrate on the positive aspects of the bill. I think it's all positive, and I think it's positive that we took true leadership, all of us on all sides who voted to scrap the MPP pension plan. It helped us to make the cuts we had to make to balance the books, and I'm pleased that I was able to do my part. But let's not criticize it, guys. Let's wind it up.

**Mr Mario Sergio (York West):** My compliments to the member for Thunder Bay-Superior North for a wonderful explanation of the bad parts, if you will, of Bill 27. There are two major parts of the bill, which the member has explained very well. We are in full support of one part, especially two particular clauses that make changes to the statutes, section 49, which deals with making the pension available and flexible to those with a shortened lifespan because of sickness or otherwise, and section 67, under exceptional financial hardship. I think we all concur with that. It's a wonderful opportunity for those people to access those funds.

The portion that the member has so valiantly exposed is the way this government keeps on doing business. That shows you that when they did it in 1995, removing the complete pension for the members, they were wrong in the way they did it. Now they are coming to this House and saying, "Look, you guys, why don't you give us the



power to access those funds?" which run into hundreds of thousands of dollars.

But the ugliness of all this—and I hope the people out there will see and remember this—is that what section 66 of the bill says is that the locked-in retirement accounts not be considered as income or assets of the member. No other person in Ontario, and I believe even in Canada, has this particular privilege. I find that arrogant of the government. I am offended by the action of this government, that they can now withdraw hundreds of thousands of dollars and not pay any tax as it's not considered as income. I find that quite outrageous.

**Hon Frank Klees (Minister without Portfolio):** On a point of order, Speaker: The honourable member has just said that these withdrawals are without any tax consequences. That is absolutely not true. They will be paying tax—

**The Acting Speaker:** Please take your seat. That's not a point of order.

I recognize the member for Northumberland.

**Mr Doug Galt (Northumberland):** It's interesting to hear the words from the member for York West, who obviously doesn't understand this bill or hasn't read it, or both. It's most unfortunate that he would give such misleading information here.

It was interesting to hear the member for Hamilton West complimenting the Liberals.

**Mr Sergio:** On a point of order, Mr Speaker: I ask that both the member for Northumberland and the member from York North withdraw the "misleading" portion of their statements.

**The Acting Speaker:** I didn't hear it, but to suggest that somebody is misleading the House is out of order. If you've done that, either member, the chief government whip or the member for Northumberland, I'd ask you to withdraw it, please.

**Hon Mr Klees:** I'd be happy to withdraw, because the member, I'm sure, was just misinformed.

**Mr Sergio:** I will read section 66 of the act, which states, "Restriction, locked-in retirement account"—

**The Acting Speaker:** That's not a point of order.

**Hon Chris Stockwell (Minister of Labour):** Hold it. Point of order: I ask for unanimous consent to allow him to read it.

**The Acting Speaker:** I heard a "no." Member for Northumberland.

**Mr Galt:** Thank you very much, Mr Speaker, for the last few seconds in my two minutes. The one comment I did want to make is that the member for Thunder Bay-Superior North talked about sneaking it in. I'll tell you what's been snuck in around here: the underhanded tricks that the Liberals have played with the Millennium Memento with the poor kids in this province, leading them astray, giving them bad political advice and having them return a good book to the local MPP. Then to come here and deface these books with red stamps on them is even worse than the graffiti that the kids have been putting in them. That's the kind of sneaking in that's wrong here.

**The Acting Speaker:** Response, member for Thunder Bay-Superior North?

**Mr Gravelle:** I want to thank all those who responded, Hamilton West and York West. To the member for Northumberland, it's just shameful that a government would not give enough funding for textbooks in schools and yet would publish this piece of fluff.

It's important to deal with the aspects of what the member for Simcoe-Grey, the Minister of Energy, Science and Technology, said. The real element here, ultimately, is that we don't come here to get a special benefit. The fact is that we come here to represent our constituents.

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The facts are very clear on this. Something has been thrown into a piece of important legislation that will allow for early payout from pensions for catastrophic illnesses or for paying out in the case of financial hardship, which even the 61 MPPs would be able to access on that basis. That is the truth. In other words, they could still make their case for that help if they so needed it. There's no need for this extra benefit that's being afforded to members of Parliament.

I did note that when the member for Simcoe-Grey was speaking he made no reference to that at all, because it is the truth. What I got from his remarks was that he was saying we should have that extra benefit, that there should be this special benefit. What it comes down to is that no matter how you cut it, there is a piece of legislation before us today that gives a benefit to 61 provincial members of Parliament that is not available to other citizens in this province. That's the long and short of it.

The member for Renfrew-Nipissing-Pembroke made a real case about that last night. There's no argument. If you're going to respond and criticize what we're saying, tell us you think it's a good thing then. If that's what you believe, then say it; otherwise remove this part from the legislation.

**Hon Mr Klees:** On a point of order, Speaker: I would ask for unanimous consent to have the members of the opposition who are here tonight speaking against this provision in the act to stand up tonight and say they will unilaterally exclude themselves from this opinion.

**The Acting Speaker:** Unanimous consent? Do I have unanimous consent? No.

*Interjections.*

**The Acting Speaker:** Order. We can stand here all night if you like and you can banter back and forth. We're wasting time.

ROYAL ASSENT

SANCTION ROYALE

**The Acting Speaker (Mr Tony Martin):** I beg to inform the House that in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor has been pleased to assent to certain bills in her chambers.

**Clerk of the House (Mr Claude L. DesRosiers):** The following are the titles of the bills to which Her Honour did assent:

Bill 7, An Act to protect taxpayers against tax increases, to establish a process requiring voter approval for proposed tax increases and to ensure that the Provincial Budget is a balanced budget / *Projet de loi 7, Loi protégeant les contribuables des augmentations d'impôt, établissant un processus d'approbation des projets d'augmentation d'impôt par les électeurs et garantissant l'équilibre du budget provincial;*

Bill 8, An Act to promote safety in Ontario by prohibiting aggressive solicitation, solicitation of persons in certain places and disposal of dangerous things in certain places, and to amend the Highway Traffic Act to regulate certain activities on roadways / *Projet de loi 8, Loi visant à promouvoir la sécurité en Ontario en interdisant la sollicitation agressive, la sollicitation de personnes dans certains lieux et le rejet de choses dangereuses dans certains lieux, et modifiant le Code de la route afin de réglementer certaines activités sur la chaussée;*

Bill 14, An Act to implement the 1999 Budget and to make other amendments to various Acts in order to foster an environment for jobs, growth and prosperity in Ontario / *Projet de loi 14, Loi visant à mettre en oeuvre le budget de 1999 et à apporter d'autres modifications à diverses lois en vue de favoriser un climat propice à l'emploi, à la croissance et à la prospérité en Ontario;*

Bill 23, An Act to amend certain statutes administered by the Ministry of Health and Long-Term Care in relation to supporting and managing the health care system / *Projet de loi 23, Loi modifiant certaines lois dont l'application relève du ministère de la Santé et des Soins de longue durée en ce qui concerne le soutien et la gestion du système de soins de santé;*

Bill 26, An Act to amend the Audit Act / *Projet de loi 26, Loi modifiant la Loi sur la vérification des comptes publics.*

PENSION BENEFITS STATUTE LAW  
AMENDMENT ACT, 1999  
(continued)

LOI DE 1999 MODIFIANT DES LOIS  
CONCERNANT LES RÉGIMES  
DE RETRAITE  
(suite)

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is indeed an honour to take part in this debate on Bill 27, the Pension Benefits Statute Law Amendment Act, 1999. It is a great honour for me, being a new member, to join these debates day in and day out. I do want to take the opportunity every time I get it, because everybody is so enthusiastic on this side of the House, and being a new member I sometimes don't get as much of a chance. I certainly am very proud of being a member of the government, a member of a government that does something, made up of people who are doers.

**Interjection:** Hear, hear.

**Mr Gill:** Thank you.

Day in and day out I see members opposite debate these different things even though internally they might be agreeing with them. In fact, a few seconds ago we had a challenge by the official whip that if somebody does not like the amendments, then they can certainly opt out. I don't think anybody was willing to take that. So this sort of adds to the credibility of some of these bills.

Sometimes members opposite just like to say no to everything, some of these things that might be beneficial to them. Some of the speakers speak 20 minutes, 10 minutes, and some of the other ones speak for an hour. Sometimes I sit here and I'm trying to intently listen. I've got my earphone in my ear. I want to hear everything; I don't want to miss anything. I'm a new member. A lot of times I see they speak for an hour and they haven't said anything. There's a lot of this dialogue. So it goes, day in and day out.

It's been my pleasure, again, to talk about this bill.

Let me bring you back, all the members, and reflect a little bit on the riding I come from, a very diversified, dynamic riding, Bramalea-Gore-Malton-Springdale, as you so nicely said, because it's a hard name to remember. The people in my riding are very hard-working. They live and they work hard and they enjoy the fruits of their labour. They very much enjoy that.

A number of years ago we all realized that the federal government, of course the federal Liberal cousins of members opposite, said the CPP will not have the funds to support our aging population. There was a great panic. I'm not going to go as far as saying, as some people are already saying, that the system is going bankrupt. That would be fearmongering, and I certainly don't want to say that. But it will not be wise to rely on government pensions. One must try to finance their own retirement as much as possible.

With those and other good intentions, hard-working people of this province try and put some money away for their sunshine years or the rainy days. But sometimes when people fall on hard times due to financial hardships or because of serious and terminal illnesses or disabilities, they hit their heads against the wall, they're so frustrated and disappointed and flabbergasted when they find out they can't access the money they put away in the hope that they could use it on a rainy day. They get totally blown away. They naturally turn to elected officials to get some help. When so many of them come to their respective MPPs, it is time to do something; it is time to rise to the occasion and make laws that can help the people of this great province of ours.

This bill allows changes requested by a large segment of the population. It allows pension reform commitments that we mentioned in our 1997-98 Ontario budget. We had extensive consultations held in 1998 and 1999 with the financial pension community. We needed a system that allows Ontarians more flexibility in accessing their own money when they need it most.



We want to deliver on our commitments. Ontarians want early access to their locked-in retirement funds when they have greatest need in terms of serious financial hardships or shortened life expectancy due to terminal illness sometimes, which is sad, but it does happen. It's a reality.

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During consultations in 1998 and 1999, people came up who were in despair, who needed access to their locked-in money sooner rather than later. Even in the short time that I've been in this House, I've met people who are in dire need to get their own money. They need this money for their upkeep and keeping the wolf away from the door sometimes.

We want to make sure that financial hardship will be well defined in the new year. People will have to apply to the superintendent of financial services. There will be no minimum age limit to access their own locked-in money, either in full or in part, as they need. Locked-in accounts include—and I'm going to mention some abbreviations—LIRA, which sounds like Italian money, which is locked-in retirement accounts formerly locked in an RRSP; LIF, which is life income funds; LRIF, which is locked-in retirement income funds. LRIF would eliminate the requirement for pensioners to purchase a life annuity at the age of 80. Pensioners would be free to transfer their retirement monies among locked-in retirement accounts; for example, as I mentioned, LIRAs, LIFs or LRIFs.

These kinds of rules exist and are being used very successfully in some of the provinces. One of them is Alberta. Bill 27 also harmonizes a number of rules that already exist in some other Canadian provinces. Several financial institutions have requested these types of changes, which will be good news for investors and institutions.

There will be MPP pension plan amendments also, as some of the members opposite have said. Let me assure everybody in the House now, as well as people listening at home, that there will be no more money going into MPPs' pensions. Our government had the guts to remove some of these golden pension plans for MPPs. The federal government has not had the vision to do something good for the taxpayers. They still have their golden pension plans whereby after six years of service, MPs—I'm talking about federal members of Parliament—qualify for a full pension at any age. There is no such pension in private corporations.

By the changes proposed in Bill 27, we want to give MPPs the same access—no more but no less—to their locked-in RRSPs after they pay the due taxes. I think one of the members opposite said they will be exempt from taxes. I think that information—I'm trying to find the right word, being a new member—may not be quite correct. It's after they pay the taxes, just like any other Ontarian.

By removing MPPs' gold-plated pensions, we are saving the Ontario taxpayers \$5.5 million every year, and

that will continue. There are no additional funds going into MPPs' pensions.

As we promised in 1996, this bill, if passed—and I hope it is, because I expect everybody will be supporting it—will complete the transition to an RRSP-type plan for the members who are affected. Only 61 members are affected. It's not a huge thing. We want to make sure the law in Ontario applies to everyone, that everybody has the same accessibility to their locked-in RRSPs as anybody else. Like I said, this change will provide affected MPPs, who took a considerable risk by leaving their regular careers to do public service, flexibility in planning for their and their family's future.

Let me reiterate that this bill does not in any way treat MPPs any better than any other Ontarians. They will have similar access to their money after they pay the due taxes. This in no way will mean double-dipping. MPPs will not be allowed to withdraw pension and regular paycheques. They will have to be retired and over 55 years of age to access their pension.

Our government takes the lead to do the needful things for the benefit of all Ontarians, including the members opposite. We have, as we've heard in this first session, reduced the size of this House from 130 members four years ago to 103 members. We reduced our own salaries by 5%, eliminated the tax-free allowance for MPPs, and eliminated gold-plated pensions, unlike the federal government, the federal cousins of the members opposite. We saw restructuring of hospitals to reduce duplication and reduce administrative costs, restructuring of municipalities to reduce the number of politicians. We do not need 58 councillors to run a city the size of Toronto.

The bottom line is that we want to provide Ontarians more flexibility to use their money in time of need, to use their money as they see fit. This is a compassionate bill. We are not coming out with a rigid approach. These changes come about after extensive consultations by the parliamentary assistants in 1998 and 1999. They reduce bureaucracy and they eliminate red tape, which is this government's forte, and we take pride in doing that.

I would suggest that we all do the honourable thing and support this much-needed bill for the sake of all Ontarians.

**The Acting Speaker:** Comments and questions? Oh, he's sharing; sorry. Member for Cambridge.

**Mr Gerry Martiniuk (Cambridge):** I proudly stand up on behalf of the riding of Cambridge. Actually, it really should now be called Cambridge-North Dumfries-South Kitchener. As a result of the last realignment, we have expanded the riding, as all ridings have expanded.

There's one thing I should mention. Some years ago, I set up a task force to apply for underserved status. We have a shortage in Cambridge of family physicians, and when I set up that task force, I ended up going with other members of our community to various doctor fairs to attract doctors. Strangely enough, the people we talked to, 90% of them, knew of Cambridge, but they didn't know where it was. I'm going to take this opportunity to tell the viewing audience that Cambridge is located one

hour west of Toronto on Highway 401. Perhaps the reason they didn't know where it was is because of a change some 30 years ago when the sleepy cities and towns of Galt, Preston and Hespeler became the city of Cambridge. As a result of regional government in 1973, if I recall, the metropolis of Cambridge was brought into being.

It is the home, as we know, of Canadian General-Tower, Toyota, and Babcock and Wilcox, plus there are a number of very auto-oriented industries. It is one of the fastest-growing communities in Canada and, I'm proud to say, has the lowest unemployment rate—shared with Regina—of 5.1%. It is a thriving community and a caring community.

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I'm very pleased to stand up in support of this bill. I remember when I was first elected in 1995, constituents infrequently, and since that time a handful of individuals, would come into the office to discuss hardship, in each case where they did have a pension plan but unfortunately there was no means of accessing money in the hardship they were suffering.

I say I'm proud to support the bill because this bill in no way affects myself as an MPP. I was first elected in 1995, as the majority of members of this House were, and there's nothing in this bill that would affect our pensions, simply because in 1995 all our pensions were eliminated. We ran on that platform in the Common Sense Revolution. I agreed with it at that time. I think a pension encouraged people to use this House as a lifelong profession, and I personally do not believe that is a healthy situation. As a result of the elimination of our pensions, unlike the federal House, which still has a gold-plated pension, we therefore are not concerned with the mechanics of this bill if we were elected first in 1995.

But this is a caring bill. It does not affect a great number of people. Unlike some of our restructuring of municipalities, for instance, which affects many people within their community, this bill affects very few people. As I said, since 1995 I've met a handful of them in my office, and on each occasion I have written to the Minister of Finance. I have discussed the matter with him on occasion and with his various parliamentary assistants, who have worked diligently to try to correct this matter, because it's a very small number of people, but they are important people. Sometimes we lose sight of it. We think of affecting a lot of people's lives, but these people are important, and I'm pleased the government is listening to the plight, a long-outstanding plight, of many people who are suffering even though they have a pension and a small income, but because of hardship they need access to their pension. At long last they are going to have that access. I applaud everyone who would support this bill and the government for bringing it forth. It is important to recognize these individuals.

The exact method of payment out after an application to the superintendent of financial services has yet to be determined in regulation. I'm sure all of us will have input into the requirements of such an application. But

we have the opportunity to help those, in many cases, less fortunate than ourselves to help themselves by gaining some access to their capital, which they have worked hard for, and I applaud the government for bringing this measure forth.

**Mr John Gerretsen (Kingston and the Islands):** Let's get one thing straight: This is a good bill for the average Ontarian out there. They should be able to access their plans. It is not a good bill, though, when the government's own compendium to the bill states that the MPPs' pension benefit act will not apply to this particular act. That's where in effect the former MPPs, the 61 members who were here in 1995 and got a pension as a result of the changes that were made in 1996, are being given privileged treatment. Everybody knows the gold-plated pension plan is gone, but those 61 members got a platinum-plated settlement in 1996.

I don't know whether you recall, but the act was passed in April of that year, and it was somewhere between four to six afterwards that the individual members were told how much they got in each plan. There were winners on all sides of the House, anywhere from \$100,000 to well over \$1 million—and that was wrong. They simply could have carried on that particular plan for those members, without any further contribution after 1995, and seen how much it would cost. In some cases it may have cost more, if the members had a long life. In other cases, it would have cost a heck of a lot less.

**Hon David Turnbull (Minister of Transportation):** You're absolutely wrong as usual. You don't know what you are talking about.

**Mr Gerretsen:** They keep talking about the fact that \$5 million a year is no longer going into it, but what everybody forgets is that it cost the taxpayers of Ontario \$25 million in 1996 to pay it out.

**Hon Mr Turnbull:** That's a lot less than—

**Mr Gerretsen:** It's a lot more than the \$5 million that it cost annually. That is the objection of the opposition. It is the platinum settlement that was made that is now going to be unlocked, when the Minister of Finance stood in this House and said it was going to a LIRA. You're now undoing something that you did in 1996.

**The Acting Speaker:** The Minister of Transportation will not shout in the House.

Further comments and questions?

**Mr Christopherson:** I want to comment on the remarks of the member from—correct me if I get this wrong; it's a long riding title—Bramalea-Gore-Malton-Springdale. Correct? Good.

I just wanted to mention that when he talked about the CPP, clearly it tells me that as a new member of the government caucus he drank fully from the glass of Kool-Aid well before he hit the campaign trail. What he did not talk about at all—and so far I haven't heard any of the other members talk about—is the fact that if there is not enough money in the CPP, then maybe there is something other than just saying to everybody, "You better hurry up and scramble or else you're just going to be destitute." That's basically what he said about it.



There was no discussion about the fact that maybe we ought to be looking collectively as parliamentarians at making sure that there is enough money there.

There's an awful lot of people who don't live in the same world that the honourable member does. They don't have nearly as much money. They don't have the RRSPs to worry about this legislation. It would just be nice, once in a while, to see some acknowledgement that there are people who are in very difficult situations and it's not easy for them to accept when the member stands up and says, "Just forget about it in terms of any CPP being there. You've got to look after yourself." That's just a non-starter for an awful lot of folks.

The other thing I would mention to the honourable member is that he seems quite comfortable with the idea that the notion of financial hardship will be defined by cabinet, yet again, after this law has been passed. Let me say to him, for us on this side of the House, we'd rather see exactly what "financial hardship" is going to mean before we go putting trust in Mike Harris's cabinet to look after working people in Ontario.

**Hon Mr Klees:** I just want to take a couple of minutes and respond to the comments that have been made regarding this legislation before us.

It's very interesting to hear members opposite railing against this legislation as it pertains to the settlement of the MPPs' pension. Members opposite know full well that the amount that was rolled into an RRSP for members was based on an actuarial calculation that took the present value of what was projected to be the full payout of the old, existing, gold-plated pension plan. Had it not been for this government, I would venture to say that the gold-plated pension plan would still be in place, because going into that 1995 election, there was nothing in the election campaign of the opposition parties that talked about withdrawing that gold-plated pension plan—not one thing. So we have to applaud and take credit as a government for at least taking that initiative.

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Now, I will say one thing, and that is that I agree with members opposite when they say that the same benefit that relates to unlocking those RRSP funds should be made available as well to the general public. I believe that and I'll continue to advocate with my colleagues here on this side of the House to do exactly that. I've spoken to the minister about that. But the minister himself, in a statement when this bill was announced, indicated this is the first step of reform of this pension act that has not been touched by previous governments until now. I credit the Minister of Finance for taking on this important task of reforming this bill.

**Mr Gravelle:** I would like to comment, if I could, on the remarks by the member for Cambridge. One of the things you said, which was somewhat startling, was that because you were elected in 1995 and it wouldn't have any impact on you or those members who were elected in 1995, therefore it didn't matter to you. It didn't have any impact on you.

I think it's really important that all of us in this Legislature recognize that it has extraordinary impact on us if we stand in our place and support legislation that gives an advantage to members of Parliament, whether it's past, present or future, that is not available to everybody else in this province. So for you to say that it doesn't matter to you or it's insignificant or it doesn't affect you, it does affect you. It affects all of us.

The fact is the public is going to see that this is a piece of legislation where, although there are elements of it that are incredibly important and we very much want to support, something has been sneaked in here that gives an advantage to the 61 members of Parliament who were vested out of their retirement plan. Suddenly the locked-in retirement plan disappears and they have far easier access to those funds.

As I said earlier, the member who potentially will be benefiting from it the most, the member for Renfrew-Nipissing-Pembroke, spoke very eloquently last night in explaining to the Legislature why we should not be supporting it, why it was morally wrong.

I would hope the member for Cambridge would also recognize that regardless of when any of us is elected, we have a responsibility for all the legislation that goes through. I think for you to say anything otherwise was unfortunate, and perhaps you may wish to withdraw that when you get your chance to respond.

It seems abundantly clear to me and certainly to everybody on the Liberal side of the House that this is a piece of legislation that provides a very special benefit to very few people. It's inappropriate and it's wrong and we are going to continue to stand up and talk about this as long as we have the opportunity to do so, unless the minister wishes to withdraw and change this legislation.

**The Acting Speaker:** Response? Member for Cambridge.

*Interjections.*

**The Acting Speaker:** We've done four. Member for Cambridge.

**Mr Martiniuk:** Thank you, Mr Speaker. I don't know what happened there.

I'd like to first of all thank all participants: the member for Kingston and the Islands, the member for Hamilton West, the member for Thunder Bay-Superior North and the member for Oak Ridges.

I'd like to comment very closely on the member for Thunder Bay-Superior North's comments. I did mention that I have no pecuniary interest, and I want to make that clear. That is not to say I am a disinterested bystander. I am interested in every bill that comes before this House as a member who represents over 100,000 caring people who are my constituents.

However, I do not have a financial, personal interest, unlike the 60 individuals who are included in this bill. That should not ever be construed as an abdication of my responsibility to this House or to my constituents. I think any implication of what I said in that regard is unfortunate.

This is an excellent bill. It is an excellent bill for those few people who are in hardship and it is an excellent bill for the 61 members who have faithfully served the public in this House and are entitled to access their registered retirement savings plan.

**The Acting Speaker:** Further debate?

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I will be sharing my time this evening with the member from Thunder Bay-Atikokan.

I think, as I have listened to the debate on the bill before the House, the very best adjective that I could use to describe what we are considering is that it is an "incongruous" piece of legislation, incongruous in that the beginning of the bill, I believe, is very noble in its intent; in fact, very necessary in that it will provide people in Ontario who would find themselves in a situation of need or desperation to access some funds that would otherwise be kept apart from them. This would occur in the case of someone who came into financial hardship—perhaps someone has lost their job, for whatever reason, and would need to access some savings that would be locked in—or in the case of someone who would be terminally ill.

In my riding, I've been made aware of situations of people in this particular situation, so as a representative voice for my community, I'm very happy to see that part of the bill before us for consideration and would very much like to support the legislation that has been presented.

But I have to say the other part of the bill that I think is incongruous—the first part is intended to assist people who would find themselves in financial difficulty. That part that is added, that part that is intended for and that refers to MPP pension benefits, really isn't meeting a critical need. That's what I think is incongruous, in that we have a group of people who do need to access funds and the bill provides for that and, oh, by the way, at the very end we're going to allow another group of people, not especially in need but people that we know and we like, a special deal to access some funds that otherwise they had agreed they would not access. They would be MPPs.

From my perspective, it begs the question why. Why this legislation?

I have one of the largest ridings in southern Ontario. As I've traveled through the communities in my riding, like Tweed and Marmora, Madoc, Maynooth, Sunbury, Inverary, Battersea, Napanee, Erinsville, Enterprise, Kaladar, Klein, in not one of those places has anyone come to me and said, "By the way, Leona—

**Mr Richard Patten (Ottawa Centre):** Metropolitan area Cloyne?

**Mrs Dombrowsky:** Metro Cloyne, yes.

"—there's something in legislation that I think needs to be addressed, and it's that part of the law that would lock in MPPs' pensions." In none of those locations has that come to me.

It really begs the question why. Why has the government chosen at this time, in this bill, to make this kind of

consideration? Can the government demonstrate that this is a burning issue for the people of the province? I haven't seen any evidence to that effect.

I find it interesting that the member for Oak Ridges, just shortly ago, indicated that he in fact is an advocate of the mechanism that unlocks locked-in pension contributions that will be made available to members of provincial Parliament, that it should be opened up to members of the citizenry of Ontario. My question is, why wouldn't it be considered first? Do we not put the needs of the people of Ontario before our own interests? Should that not be our first consideration as a Legislative Assembly, providing that benefit for the people of Ontario first? The government is certainly looking after MPPs, it would appear.

So I speak with very mixed emotions about a bill that I know will bring some benefit for people in my riding. But the whole moral issue that my colleague from Renfrew-Nipissing-Pembroke so very capably spoke to last evening and put in the clearest possible terms for those of us who were perhaps struggling with the terminology of the legislation—it makes it very difficult for me to come into the House and support legislation that, on the one hand, is good for the people but, on the other hand, sets a double standard for people in this House.

I would hope that the government would reconsider this, consider the needs of all the people of the province, and bring forward amendments that would allow this bill to better address the needs of all the people and not just the benefits of a few.

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**Mrs Lyn McLeod (Thunder Bay-Atikokan):** As my colleagues have said, it is frustrating once again to be dealing with a government bill which combines elements that we would think are in the public interest and might wish to support along with an element which clearly we are finding impossible to support, and that is the special treatment for MPPs who were elected prior to 1995. I, of course, am one of those people.

This is the third bill of this type that we've dealt with this week alone where the government has tried to slip something that is controversial into a bill that then gives them a public cover of something which we might want to support.

I want to spend the bulk of my time on my reasons for objecting to special treatment for MPPs who were elected prior to 1995, but before I do that I want to spend a little bit of time on my concerns about the part of the bill which I think we do generally support, because I certainly have had constituents who have contacted my office and who have said, "We would like some flexibility to access our retirement savings plans because of financial hardship that we're experiencing." That is the reason the government has brought forward this bill. That's what they want the public to believe is the reason why they are supporting the bill, because they don't want the public to notice that other part they've slipped in on MPPs' pensions. But let me just touch on the reasons



why the members opposite believe that the parts of the bill we can support are there.

For example, the amendments in this bill would allow early payments from pensions for catastrophic illnesses. That is something that people have asked for and a number of members have spoken to. I guess my concern is, here we are in the province of Ontario in 1999, about to be 2000, and people are having to dip into their retirement fund in order to cover personal costs incurred because of catastrophic illness. What does that mean?

Does that mean the pensioner in my riding who has significant health problems, who has to leave Thunder Bay to come to Toronto on a repeated basis to have his health care needs met because they can't be met in Thunder Bay and who has already paid over \$10,000 out of his own pocket for medical care for himself and for his wife, who's also ill, has to dip into his retirement fund in order to cover those costs because this government absolutely refuses to recognize the cost of travel for medically necessary care? Should that be something which this constituent is encouraged to dip into his retirement savings for? Does this become a cop-out clause for a government that's not prepared to meet the costs of people who have catastrophic illnesses?

The other provision to allow the early payout of pensions where there's financial need—there have been a couple of things said in the course of this debate. I think it was the member for Kitchener Centre who said, "We shouldn't worry about this because we're only talking about \$15,000." I'm not exactly sure how the member for Kitchener Centre arrived at that particular figure, but he said, "You know, we're not talking about people being able to access a lot of their retirement funds, maybe \$15,000, so it shouldn't cause any financial hardship further down the road."

I guess I was struck by the \$15,000 figure. I found myself wondering, if you were 55 years of age and had one or two young people going on to college or university, what would be the annual tuition that you would have to dip into your pocket for to help support that young person going to college or university? I think in Mike Harris's Ontario it might well be that people have to have access to their retirement savings in order to support their sons or daughters going on to get a post-secondary education. It didn't used to be the case, but I can tell you right now it's virtually impossible for a young person to support themselves with the unregulated, sky's-the-limit tuition increases that we've seen in Mike Harris's Ontario. I'm not sure we want this government to have a cop-out clause that allows them to excuse huge increases in tuition and people having to dip into retirement savings to give opportunities to their sons or daughters.

Then I see the member for Peterborough. His contribution to this debate suggested that constituents in his riding have come in and said, "We're experiencing financial hardship because we're about to lose our home." Certainly that's financial hardship. Then I found myself thinking, in Mike Harris's Ontario, under what circum-

stances would a senior find that they were facing a loss of their home? I suspect, because in most cases seniors are not facing large mortgage payments and many have paid off the cost of their houses, that the thing which makes it difficult for them to sustain their own homes is property taxes. I submit that property taxes is the one part of taxation which the tax-fighting Harris government has not seen fit to take under its wing. In fact, what the Harris government has done to property taxes is to download costs on to municipal ratepayers. So the seniors may well have some difficulty meeting the tax payments on their homes and may face financial hardship and face losing their homes because of that.

I don't want this government using this flexibility in the retirement pension plans to be able to say, "We don't have any concern about the seniors who are about to lose their homes in terms of the hardship we've created for them." I will support this part of the bill because I believe this part of the bill is necessary to give people flexibility, but I don't want this government to say: "They're on their own. They've got retirement funds. Let them dip into their retirement funds in order to beat the hardships." The hardships in many cases have been created by the very government that is now allowing them the flexibility to pay their own way out of the problems.

If I had time I would get a bit philosophical, because I have a lot of concerns about what is happening to people who are moving into retirement age. I have a lot of concerns about whether, with an aging population and a much younger cohort of people who are going to be supporting our pension plans, the whole system is sustainable unless we are able to have adequate retirement provisions to ensure that we do not have to be a drain on the sons and daughters who might otherwise have to support us, either individually or as taxpayers.

I have even more concerns about what may happen to my sons—daughters, in my case, but sons of others of my age group—because I see an awful lot of them working on contract. They don't have a full-time job. They're not going to be in a job which makes them pensionable at the age of 65, or 55 for that matter. If you work for the government and you've been employed in recent years, chances are you're working on contract where you get absolutely no benefits at all. I worry about young people who are facing a long period of job insecurity, who when they do get a job are looking at very high mortgage payments, who are looking at high costs of education for their sons and daughters, who feel that before they can start to invest in an RRSP they've got to invest in an RESP so that they have an education savings fund for their sons or daughters. I don't know when my daughter and son-in-law are going to be able to start to put aside the kind of dollars that they will need to be self-sufficient when they reach retirement age.

I don't think as a society we have even begun to understand what it means to have an aging population and how we are going to support our seniors as they become the majority of our population. I don't think we've begun to think about it in terms of health care, I

don't think we've thought about it in terms of housing, and I certainly don't think we've thought about it in terms of the kinds of income that they will need in order to be self-sufficient. As I say, I'm less concerned about drawing down on retirement savings plans now than I'm concerned about the lack of any retirement savings plan for the generation that is just behind me.

That brings me in my last few moments to the part of the legislation which we quite clearly are concerned about and that is the special treatment that's being given to MPPs elected prior to 1995. I won't take a lot of time to reiterate the comments that have already been made. I know my colleague from Renfrew-plus—and I apologize for not having his new riding name down—quoted the Legislative Assembly speech of the Minister of Finance of April 10, 1996, in which Mr Eves made it absolutely clear, "All members with benefits earned under the old plan who have not yet retired will have the appropriate funds transferred to a locked-in retirement plan." As my colleague said, nothing could be clearer than that in stating the government's intent.

#### 2010

Now in presenting this Bill 27, the Minister of Finance finds that when they eliminated the old plan—and again I'm quoting from his speech just last week—he found that there was an oversight in the legislation. Perhaps it shouldn't surprise us that this government is inclined to make oversights in legislation, but I don't think this was the case when the original plan to change the pension plan was introduced. There was considerable discussion about the changes in the pension plan. Both the Liberals and Conservatives had campaigned in 1995 on the conversion of the pension plan into an RRSP. There had been discussions between the leaders of all the parties and the Minister of Finance on exactly what kinds of changes were going to take place. That was why when that legislation came into the House it had all-party unanimous support. We all agreed and we had all campaigned on our agreement that there should be no more gold-plated pension plans for MPPs.

Our whole argument at that time—and it was an argument on both sides of the House—was that there should not be special treatment for MPPs, that we should receive fair pension benefits but we should not be treated differently from anyone else. That was the debate—it wasn't a debate. That was the agreement in this House. It was with the full understanding that that was the purpose of the conversion of the old pension plan to the new plan that we all supported that plan. There was no misunderstanding, there was no room for oversight; it was absolutely clear.

This is why it's a little bit surprising that a very short time later, some three and a half years later, we have the government coming in and, according to Mr Skarica, the member for Wentworth-Burlington, in presenting the government's position, saying that all this does is complete the commitment that was made in 1995. I know the commitment in 1995. I know the legislation that implemented that commitment. I didn't know it needed to be

completed in 1999. I thought it was complete. I don't know why it has to be reopened for MPPs. I don't understand why the member for Wentworth-Burlington would not have some concerns about his own government having this tendency to bring in legislation which, two or three years later, it suddenly decides it has to reopen to fix again. It seems to me that anybody concerned about municipal amalgamation—and look at what's happened to the city of Toronto that was amalgamated such a short time ago and now faces legislation to change it again—anybody who is concerned about that kind of record of the government on amalgamation might be concerned about a government that wants to come in and start fixing things that were done in 1995.

I know how the public sees this. I want to read a letter that came to the Chronicle Journal in Thunder Bay from Helen Jackson, who does it in a somewhat humorous vein but I think she makes the point very well. She said she "got a chuckle out of the article entitled 'Pension Funds to be freed up for the needy' in which it was stated that our provincial government wants to make it easier for MPPs to access their locked-in retirement funds.

"While I'm sure, or at least I hope, that the government doesn't consider these folks to be particularly needy, the article fails to explain what their justification is for allowing MPPs to access such funds, while denying us lesser mortals the ability to do the same. Maybe it's Mike Harris's way of playing Santa Claus to his fellow MPPs, who knows?

"All I can say is that based on the information in the article it would appear that, if the proposed legislation is passed and you are not an MPP, you will only be able to access locked-in retirement funds if you can demonstrate financial need. MPPs, however"—and she's quite right.

My understanding of the legislation that's before us is that if you are not an MPP elected prior to 1995, you can only access this flexibility in drawing down your retirement funds for situations of serious financial need. You have to apply to the supervisor of the pension fund to establish that there is serious financial need in order to get the flexibility. She's quite right in her understanding, as I understand it, of what the legislation offers to those whom she terms to be "lesser mortals." I think she's also quite right in saying that under this legislation, "MPPs, however, will be able to access the funds provided they are willing to pay the appropriate taxes." I want to acknowledge that this is my reading of the legislation, that we would have to pay appropriate taxes.

"Now, correct me if I'm wrong"—and I urge the government whip to hear this message as well—"but if you're in a position to pay a few extra taxes, it hardly seems likely that you're in financial need," which of course is why MPPs are not being required to demonstrate that they're in financial need in order to access their retirement funds.

"I must be missing something here. Can someone out there please explain to me why our MPPs should be entitled to do something the rest of us cannot, or have I simply misunderstood the situation?"



I think Helen Jackson has understood the situation extremely well. The government, in slipping this section into this legislation which provides needed flexibility for the average person, whom I don't consider to be lesser mortals, as Ms Jackson rather whimsically suggests they are, is in direct defiance of the original principle behind the change of the gold-plated pension plan into an RSP and locked-in retirement plan, which was what other people would receive.

I don't buy the argument that this is what other professionals receive. If this plan, as members opposite have suggested, is something good, something we should support—unfettered access without having to prove financial need to the superintendent of finance—if this is a good thing, then surely it's a good thing for everyone to have access to that. I think it was the government whip who said he believes that's the case and is arguing with his own government that this legislation should be amended. We look forward to that amendment, which will make a significant improvement to this bill.

**Mr Christopherson:** I appreciate the opportunity to respond to the member from Thunder Bay. She raised an interesting point that I'm glad is being discussed here; that is, if I'm not misinterpreting her comments, a reference to the fact that these restrictions were put in in the first place because the last thing the government wanted was that people would use this money for any reason other than retirement.

Accessing the money now, while it may sound like a good thing in the short term, where is that going to leave people at the end of the day? With tuition increases, user fee increases, all kinds of privatized services that were formerly in the public domain and are now in the private domain that you have to pay extra for, and if you're not part of the wealthy crowd in Ontario you've got a lot smaller share of this wonderful tax cut than the others in order to pay for these things, the government's agenda puts more pressure on individuals and families in the short term to want to have access or need access to these funds. If we're not careful, we may help solve short- and medium-term problems with individuals and families but create longer term problems.

I mentioned this earlier when another member spoke about CPP. I don't hear the government saying anything about what they're going to do to assist or prevent people from retiring into destitution because the money they had set aside in their RRSPs they've now had to access because of the emergency financial straits that a lot of your policies have put people into.

That is the other side of this. It's a question of paternalism versus ensuring that government is assisting people in being prepared for retirement and not just allowing them to overcome the financial hardships that your policies are placing on them.

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** I enter this discussion somewhat reluctantly, because I know it's a bit of a mug's game to get into this sort of discussion about perceived benefits to elected politicians. What bothers

me most about this debate, and what I've heard from the opposition parties, is the suggestion that somehow government members are benefiting from elements of this legislation. That in no way is the case.

In fact, what we were talking about is that in terms of the MPP pension that was in place prior to our forming the government in 1995, it was disbanded. As we all know, it was a very unique circumstance. This was a voluntary disbandment of a defined benefit plan, I suspect the first time in Canada that that had occurred. There are certainly no rules governing this kind of situation. For the opposition to suggest that we're somehow bending or twisting or breaking rules—we broke the book in terms of disbanding a defined benefit plan.

The primary beneficiaries of that decision were the members sitting in the opposition benches. For them to suggest that somehow government members are benefiting is quite offensive. That is the reality, and it stands up to very modest scrutiny.

The whip indicated in terms of this initiative that this is a first step. This is a view shared not just by the whip but by all of us when we made this decision, that this is a first step. Doing it on a broader basis at this point in time has significant implications for financial markets, but certainly—

**The Acting Speaker (Mr Michael A. Brown):** Thank you; the member's time has expired.

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**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I want to join the debate and congratulate my colleagues from Hastings-Frontenac-Lennox and Addington, and Thunder Bay. I want to say to my friend the member from Brockville that I, for one, and I think all of my colleagues, have made plain that our difficulty with that part of Bill 27 that separates out members who were vested under the old pension plan is simply this—and we accept that those 61 members are from all three parties. Our complaint and our concern is that this policy offers a special consideration to those members, members with names like—and I repeat what I said last night—Conway, Harris, Eves, Bradley, Runciman, Ruprecht. Let it be very clear that they encompass members on all sides.

It is the special treatment of special people that I, for one, find offensive. It couldn't have been clearer what the government of Ontario intended in April 1996. My colleague Mrs McLeod, who has just spoken, was privy to those negotiations as leader of our party at that time. There was no talk then or since that time, publicly, about giving members, 61 of them, an exemption from the so-called LIRA sanctions.

If it's good policy, as my friend from Thunder Bay and my friend from Tweed have just observed, let it be good for everyone and let us do so now. If we're not prepared to do it now, let us amend Bill 27 to hold back any provisions for members until such time as we're prepared to do it for the general community.

**Mr Tony Martin (Sault Ste Marie):** I want to commend the member from Thunder Bay-Atikokan for mak-

ing some very good observations re this legislation, particularly pointing to the fact that this may lend itself to the government once again shifting responsibility for the health and well-being of individual members of our society from a government-sponsored program of assistance and help to one of private assistance through accessing one's retirement funds that have been put away to be there when one actually qualifies as a senior.

It also plays into the critique that I make of the bill, which is that it really doesn't go far enough in dealing with some of the pension requirements and issues that are out there. I brought to this House a year or two ago a situation where a number of older workers are now being laid off by big companies that are restructuring. They are moving these folks out, turning over to them severance packages that recognize that they have made contributions to their pension plan for a number of years, and in most instances recognize that there was a contribution by the company, but not always complete recognition of that fact. But never, ever, it seems, except in unusual circumstances, is there a recognition of the fact that the pension plan, over the years these people have been putting money into it, has been generating interest at sometimes an exponential rate. They end up getting their own money back, sometimes the money of the company, but never the interest that's been accrued or accumulated.

This bill, if it really wanted to help people, would have gone a distance to resolve and answer some of those questions, because there are a lot of older workers out there losing their jobs.

**Mrs McLeod:** I appreciate my colleagues from Hamilton West and Sault Ste Marie reinforcing some of the concerns I expressed underlying the parts of the legislation we are supportive of because we recognize the need for people to have flexibility to access their pension funds in times of financial hardship.

It would be said, perhaps, that I am becoming increasingly cynical and suspicious in my advancing years in the Legislature. But I am cynical and suspicious of a government which, in my view, has taken every possible opportunity to make people pay in order to reduce the government level of support and to support the tax breaks they give, much more generously, of course, to people who are making much better incomes than those who need flexibility to access their retirement funds to deal with financial hardship.

But I also want to say to the member for Leeds-Grenville, as my colleague from Renfrew has, that I hope he didn't get any sense that any of us were suggesting that it was only government members who could potentially benefit from this particular section of Bill 27 that applies to MPPs elected prior to 1995. Quite clearly, any members who were elected prior to 1995 would potentially benefit from this, at least having the option, which is not being made available to anybody else.

But there were rules, I say to the member for Leeds-Grenville. The rules were put in place around exactly what proportion of the accrued funds could be put into a locked-in retirement fund, up to the maximum that would

be allowable under federal legislation and the allowance for tax exemption. It was very clear what portion of those accrued dollars, for each of us who had been a serving member prior to 1995, could be put into a locked-in retirement fund and what portion could be taken out and reinvested, with full taxes being paid on it. There was no question about there being any flexibility at that time. We all knew that that division was being made. The rules were there. I see no reason to start changing the rules some three years later.

**The Acting Speaker:** Further debate? Member for Hamilton West, your leadoff speech?

**Mr Christopherson:** Yes.

**The Acting Speaker:** Thank you.

**Mr Christopherson:** The first thing I want to do before I get into the actual details of the bill is to point out something that I think is quite poignant, given that both debates happened today. Earlier we were talking about Bill 25. Anyone watching this afternoon or following in the media at all will know that we've been raising real concerns about the size of the bill, the fact that it runs 167 pages long and contains at least five separate acts. We asked that it be separated for a whole host of reasons, not the least of which is that as individual members, given that there are five acts within Bill 25, some of us feel differently about some of those acts than we do others, and yet by wrapping it into an omnibus bill we're forced into casting one vote that can then technically be applied, in terms of anybody making reference to that vote, to any or all of Bill 25—a rather untenable situation.

Here we have Bill 27. We've been talking, I would think, with just about as much, if not more, passion this evening than in the earlier debate on Bill 25, yet look at the difference. Here's Bill 27; look at the size of it. Most bills are somewhere around this size. Perhaps it's easier for people who may be watching to understand why we felt so strongly about Bill 25. Here's Bill 27, which runs nine pages. Bill 25 runs 167 pages. I think people will understand, if they look at that, why we felt so strongly about what's called unbundling the omnibus bill.

Second, I want to touch on a point I referenced very briefly in response to a government member's speech with regard to the amount of passion they're prepared to put into this.

**Mr John O'Toole (Durham):** Mr Speaker, on a point of order: I believe the member held up two separate bills. One bill was very small and one was quite large, but I should note for the record that he's voting against both of them.

**The Acting Speaker:** That of course is not a point of order.

**Mr Christopherson:** It's not only out of order, Speaker, it's a totally irrational point. I don't know what the hell you're talking about, John. What do you expect? Either wake up fully, John, or go back to sleep, but don't sort of stay in between, OK? It confuses the proceedings here. This was Bill 27; this was Bill 25. My point was—

*Interjections.*



**The Acting Speaker:** Order. We need to quiet down and permit the member for Hamilton West to make his intervention.

**Mr Christopherson:** I was saying, just before John got up and did whatever it was that John did, that the passion that many are showing here, especially as things start to slip into MPP money, but on the whole overall question of RRSPs and monies and investing and that whole world, you could see a lot of the tension, you could hear it in their voices, you could see it in the body language when they spoke.

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Yet let's not lose sight that this is exactly the same crowd that had no problem whatsoever taking away 22% of the income of the poorest of the poor. Where was the passion and compassion then? You've got lots of it now. We're talking about investments; we're talking about RRSPs and RIFs and locked-ins. You're having great fun with all of this, but no consideration whatsoever to perhaps the kind of Christmas that some families are looking at this year as a result of the cuts you have made over the years. I've made the statement, and many of us have on this side of the House, about what would happen if they had said to their friends, "You're going to get a 22% pay cut," or, "We're going to remove 22% of the tax deductions that you use so you can access the benefit of the Mike Harris tax scheme." As there is now, there wasn't a lot of comment then. That says volumes about what is important to the people sitting on the government side of the House.

Where were they, and where are they now, as we deal in Hamilton—I'll just mention a couple of things because we're not letting you off the hook. You're doing it.

Yesterday's Hamilton Spectator: "HHSC Cancels Dental Program: Budget woes end clinic for AIDS patients and poor," an article by Spectator reporter Gloria Galloway. If I can, for the record, it says in part, "The Hamilton Health Sciences Corp is cancelling a dental program that serves AIDS patients, those with other complicating conditions, and members of the community who cannot afford expensive treatment."

The article goes on to say: "Dr Joyce Stinton, head of dental programs for the regional public health department, said the clinic at Hamilton General Hospital"—that's one of the member hospitals of HHSC—"has been an important source of dental care for people who need it as part of their medical treatment."

"People going in for cardiac surgery or radiation therapy who need dental care prior to surgery or who have a complicating medical problem have received care through that program," she said. "Gone. Gone because of your cuts."

Earlier today in members' statements I raised the issue—the plight—of a young Hamiltonian named Sean Logan, who suffers from Tourette's, who can't return to school because our school board doesn't have enough money to hire enough educational assistants to allow Sean to participate fully in class as he should, and, quite frankly, as he is entitled to. Our board, in my opinion to

their credit, said it's more important that we get these students back. There are about 20 students who are now in school because our board, under the leadership of chair Ray Mulholland, said: "We're going to find that money. If it means we've got to go over budget to do it, we're going to find the half-million dollars plus to at least put as many of these students as we can back in the classroom, and then we'll appeal to the provincial Minister of Education for that funding." An honourable move and a risky move.

Speaker, do you know what the response was? I'm sure you do. The response of the Minister of Education in Mike Harris's government to our school board trustees, who need this money and more in order to put Sean Logan back in the classroom: They said no. I see the member from Hamilton Mountain joining us and nodding her head. She's been following and working on this closely, because this matters, and it should matter as much as any discussion about tax cuts, about RRSPs or RIFs or LIFs or whatever formulas are there that folks who have enough means need to worry about.

I can assure you that for Karen Logan, nothing is more important than getting her child back in the classroom. Why isn't it your top priority? Why isn't it your priority to worry about the poor and those who have complicating medical factors that require them to have dental surgery before they have other medical treatment? Why isn't it important to you that they receive that treatment? Why doesn't it at least have the importance you seem to place on the issue that's before us today?

We on the opposition benches have raised, and I'm pleased with—what is it, Bert?

**Mr Bert Johnson (Perth-Middlesex):** Taxes and deficits.

**Mr Christopherson:** Taxes and deficits. Do you want to talk to me about Sean Logan? No, I guess not.

The member for Thunder Bay-Atikokan raised earlier, and I'm really glad she did, the notion of another side to this story in terms of this being basically good news for a lot of people. It's hard to argue that if you're going to allow people access to what is basically their own money, that is anything other than good news. But there is a potential downside, and it is exacerbated by your economic agenda that puts people into the kind of financial hardship that forces them to search around and grasp at whatever dollars they can find because they're not one of the few winners in Mike Harris's Ontario; they are part of the overwhelming majority of people who are losing ground in Mike Harris's Ontario.

I want to go a step further. I want to point out a couple of areas in this bill that as far as the NDP caucus is concerned do not make this all sweetness and light. There are a couple of really important principles in Bill 27 that are going to hurt working people.

The first one I'll raise is found on the very first page of the bill, after the explanatory note. The name of the bill, of course, is An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996. In amending the Pension Benefits Act, section 1 of Bill 27 says—it's very

short, I'll just read it, because it sounds so innocuous. It simply says:

"1(1) Clause 8(1)(a) of the Pension Benefits Act is repealed and the following substituted:

"(a) the employer or, if there is more than one employer, one or more of the employers."

It not only sounds innocuous; it's pretty hard to understand what it means. If you're not someone who deals with these things all the time and you don't have a copy of the Pension Benefits Act in front of you, it's hard to really know what this means, whether it's good or bad.

What we found that it means is pretty bad news for an awful lot of working people, because the reference is to what happens—and I am going to refer closely to notes because some of this is complicated. Dealing with pensions is not a straight issue, and I think every one of us in this House would be the first to admit that. In dealing with a multi-employer pension plan, the courts have found currently, because this bill of course is not law yet, that multi-employer plans must be administered by a board of trustees with half the board made up of representatives of employees.

Before I go any further, I know how the government feels about that concept. We all know how they feel about the idea of working people and their representatives daring to believe they have a right to a 50% say in government agencies that regulate important parts of their lives. We saw it with the WCB, now the infamous WSIB, where under the NDP government, employees, either directly or through their representatives, were guaranteed by law 50% of the seats on the board of directors, which makes a lot of sense. The WCB is not there for employers; it's not there for government. Both of them are partners in this, but the essence of it is that it's for working people who get hurt at work through no fault of their own. It makes sure that the historic compromise of 1914-15 is honoured in that there's no requirement for the employee to prove whether the employer was guilty in terms of who caused the accident, but the right they have is that they would have access without having to prove and without being able to sue the employer for any damages beyond wages, benefits and medical care.

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Finally, after decades and decades and decades, we came along and during our time in office said, "You know, it's high time that these workers, for whom this agency was created, at least get a 50% say on the board of directors." That's not only an important labour movement principle, I think it's a very reasonable, rational principle. They didn't think so, because of course Mike Harris's government, in the last term of office, under Bill 15 eliminated that. Gone. We're back to the bad old days now on the WCB where the employers, directly or through their friends, have an overwhelming majority control of the board of directors. And with other changes that you've made that I won't get into here, that is even more significant than it has ever been in the past.

Is that just a fluke? No. We have another important example of how they feel about the idea that workers would have a 50% say in matters that affect their lives. Remember the Workplace Health and Safety Agency, the concept that workers can best teach workers in terms of safer working conditions, a concept that said, "We'll bring employers into this program also, but we'll make sure there's a 50-50 split on the board"? For a government that likes to say—and, oh, they're so good at saying the words—that they care about health and safety and that they care about working people and that they believe there's a partnership out there between employers and employees, you would think they would embrace such a concept.

**Mr Gerretsen:** They don't care.

**Mr Christopherson:** I hear one of my colleagues from the Liberal Party say, "They don't care." I would remind him that you ran on exactly the same platform and that had you been elected you also would have killed the Workplace Health and Safety Agency.

**Mr Gerretsen:** Absolutely not.

**Mr Christopherson:** I think I hear one of them saying no, but if there's a copy of the red book around in this place from 1995, you'll find it in there. Bert's going to find it. It's in there, and it says that they would eliminate it also, just like you were also going to get rid of the royal commission into the WCB. You were going to go along with tax cuts too, but they weren't going to be quite as bad. You might just want to be careful about how quickly you condemn some of the things they do, given the fact that you ran on them too.

**Mr Gerretsen:** State the facts.

**Mr Christopherson:** It is the facts. It's just not the facts you want. But I'll stick to this subject, which is probably what you meant.

I raise these because it's our understanding that this rather innocuous, hard-to-understand clause that starts out Bill 27 has exactly the same effect. The courts have said that where there's a multi-employer plan, it must be administered by a board of trustees, and half of those trustees must be representative of the employees. Under Bill 27, one of the employers can be the administrator. I have a lot of difficulty believing that this somehow is going to provide some kind of benefit to working people, but that's what you're doing.

It's OK that the worker's pension plan will be administered by one of the employers. The employees' plan, the employees' benefit, will be administered by one of the employers, and we have the example of courts that have ruled that, in exactly these situations, you have an obligation to provide the workers, the employees, with 50% of the seats that are going to make decisions about their pension.

In this bill about which so many have said that, by and large, with one or two things, they like it, that's pretty significant. That's a pretty significant deal in our opinion, especially given the fact that the NDP has long believed that opportunity and that right should not only be provided to employees who work for multi-employers, but



you know what, how about the radical concept that everybody deserves, through their representatives, to have at least 50% of the seats on an agency that's going to control and regulate their future, their retirement?

That's why I raised the other two examples, because they're both examples where we have said in word and, unlike you, in deed that working people, employees, will by virtue of having 50% of the seats on these boards—the Workplace Health and Safety Agency and the WCB—have their rights, to the tune of 50%, represented and defended.

I don't understand why and how this government will say that things went so unbalanced under the NDP. It seems to me that's righting an imbalance, not creating one, yet this is exactly where we are.

I might add as an aside that I suppose I ought not be so surprised you don't care that much about the courts, since one of the flavours of the day for right-wing politicians in Canada, and more importantly, starting in the United States, is the whole notion of going after the courts because they're going far beyond their mandate. You notice that only seems to happen when courts have decided, through interpretations of charters and other bills of rights that exist in Canada and throughout the United States, that those rights are being enforced and given effect, never when it's the other way.

In many cases, if it weren't for the courts—certainly under this government if it weren't for the courts—there are a whole lot of rights that would have gone out the window and would have stayed out the window: the right to aspects of the employment equity program that gave to a lot of women in this province, who deserve to receive them, their rightful, lawful employment benefits, gave them back to them because you took them away. It was the courts that said you can't do that. It's not the first time.

The same thing happened with your Victims' Bill of Rights. Remember that little gem? You made all the talk about how much you were helping victims and helping ordinary people, the same words you always mouth no matter what part of our society you're attacking, whether it's our health care system, education system, environmental protection, social service, labour laws. It doesn't matter. It's always the same thing. You say one thing and the reality is completely different.

The courts finally pointed that out when a judge said: "There are no rights in this bill. You called it a Victims' Bill of Rights but there are no rights in here." It was the Attorney General's own lawyers who were in court making the argument that there are no rights in the Tories' Victims' Bill of Rights. I'm not surprised—

**Mr Gill:** Are we still talking about this bill?

**Mr Christopherson:** I realize, honourable member, that you know everything there is to know about everything but, yes, I am actually still talking about Bill 27. I am pointing out where you're hurting ordinary working people in this province and I'm pointing out where it's consistent with just about every other bill you've ever brought in that affects working people. I would say that

even though you disagree with the point, it's definitely germane to the debate.

**2050**

Another area that needs to be brought forward: On page 6, section 17 reads:

"Subsection 95(2) of the act is repealed and the following substituted:"—meaning of course the Pension Benefits Act

"(2) Without limiting the generality of subsection (1), an agreement may provide for,

"(a) the delegation of any powers and duties of the superintendent under this act and the regulations to a pension supervisory authority or the government of a designated province;

"(b) the delegation to the superintendent of any powers and duties of a pension supervisory authority or of the government of a designated province under pension benefits legislation."

Again, it is very difficult to understand in everyday language, but it's our understanding that this has profound implications for a lot of people. Given the amount of good-job losses we've seen over the past few years, this will resonate with a lot of people. It's our understanding that employers have been pressing for a long time for this provision, and that will become, I think, apparent in terms of why very shortly.

What currently happens where you have pension plans with members in more than one province is that the plans are registered in the province where most of the employees live, and that's usually Ontario, but each member is covered by pension laws from the province in which they live. Now what we have under Bill 27 is a provision under the clause I just read—I'll just read this so I get it accurately: "This provision would allow for interprovincial agreements that could allow Ontario workers to be covered by a plan registered in another province and covered by that province's pension laws."

To recap, where we've got plans that have members in more than one province, the plan is registered in the province where most of the workers live and workers are covered by the pension laws. So there's where the pension is registered and then the actual laws that regulate the administration of that pension. Currently you register in the province where most of your workers live, which is usually Ontario for obvious reasons, and you're governed by the laws of the province you live in.

For Ontario workers this is important. Why, you might ask, is it important? Here's an example: When a pension plan is wound up, in Ontario, for instance, if you have a factor 80 and at factor 80 you receive an unreduced pension, when it's wound up, if you only have factor 78 you're allowed to what's called grow into the plan, meaning that obviously at some point your age will likely help you cross the threshold at which you reach factor 80. In Ontario that's exactly what the law provides.

It's interesting that only Nova Scotia, for instance, in this case, has this provision. In other words, Ontario has some of the best protection, not because of anything this

government did, but because they were already in place when they got there.

As an aside, they don't like that. Whereas most of us would take pride in the fact that our province is the first in anything or the best in anything that helps the quality of life of its citizens, this government sees that as a negative, as a detriment. They do that with minimum wage. They froze the minimum wage to the point where the American minimum wage is now ahead of ours, and they've made the statement that they're not going to do anything with our minimum wage until such time as the other provinces come up.

This isn't Prince Edward Island. We are the largest province in terms of our GDP, in terms of our population. We're fortunate enough to be best positioned in terms of our export markets, particularly around the Golden Horseshoe. We have the access that we do in the north to natural resources. There's a whole lot of reasons why the rest of Canada should look to Ontario to lead in a lot of important areas, because you can't make the political argument in some of these other provinces if you don't have examples elsewhere, and usually that means, Ontario, Quebec, Alberta, BC—the largest provinces.

But this government always sees that as a millstone. The same with environmental protection: They've got to cut back on environmental protection because—and you hear the argument all the time in this place—"Ontario's the only one that has it." Again, why aren't we proud of that? Why aren't we urging other provinces and urging our friends and neighbours in the United States if they aren't—although that's changing quickly, but if they weren't at the same level of protection, we would be urging them to please do that, through our international agreements and diplomatic discussions, every means available. It's interesting to note that we're now beginning to fall behind a lot of the environmental protections that are being put in place in the United States. At the same time they're being dismantled in Ontario.

Again, it's important in the context to understand that as a policy this government not only is not proud but considers it a negative for us to be ahead in the areas that make the quality of life of our own citizens better.

Why do I raise this? What are the possible implications for the future? Here's the concern: Because under Bill 27 where you register the pension plan are the pension regulations that determine how your pension plan is administered. So we go from a situation where you're registered in the province where you have the greatest number of employees living and each of those employees has their pension benefits administered by the pension laws that exist in the province in which they reside, to a situation where your pension laws in terms of administration of your pension will now be governed by the province in which the employer registers the plan.

What's going to happen over the next while? There are going to be, without doubt, those employers who are going to shop around and find the province that has the weakest regulations because it's financially to their benefit. But who loses? Ontario workers. I'd say that's pretty

significant for a bill that supposedly is all sweetness and light for Ontarians.

2100

The reason some of this came to light is that the Ontario Federation of Labour, the lead voice of labour in Ontario, has a pension committee and that pension committee meets on a regular basis with, I believe it's the financial services advisory committee or the financial services committee, but I think it's the financial services advisory committee, for the purpose of providing their expertise through the committee to, ultimately, the government, which of course has control over policy.

Last Monday, the OFL pension committee met with the financial services advisory committee and asked them if there was anything coming down that they ought to be concerned about, because they'd heard some rumblings. They were told, "No policy is ready for discussion."

My first reaction was: "Here we go again. Typical Mike Harris government. Don't talk to anybody who's actually affected by the legislation who might point out something different than what you want to believe. You just go ahead and do what you want." Then it occurred to me, not being any kind of expert in terms of the work of the financial services advisory committee, that perhaps they may not be in a position to be plugged into the government or they may not have two-way dialogue but rather one-way dialogue in terms of advice etc. So then I just assumed that naturally with anything that affects employees to the degree that Bill 27 does, there must obviously have been some kind of direct consultation with the Ontario Federation of Labour.

Was it not the new Minister of Labour, the Honourable Chris Stockwell, who said, and I'm paraphrasing, that he wanted a new era, a new time of dialogue, détente, discussion, give and take with the labour movement? And oh, if the labour movement could somehow find their way to forgiving the last four years—which they aren't about to do, nor should they—but certainly it's in their interests to enter into dialogue with the Minister of Labour. We wish the government had offered that four years ago, before they brought in all their vicious, draconian, anti-labour legislation. It would have been nice if they had thought four years ago, "Gee, maybe we ought to have the odd little discussion now and then with the Ontario Federation of Labour." However, the new minister said that this was going to be his opportunity to show how things could be done differently even in a Mike Harris world—and again, those are my descriptive words, not his, but the intent certainly is what he was reflecting.

I would have thought that before something like this would come down, the Minister of Labour would be in touch with Wayne Samuelson, the president of the Ontario Federation of Labour, and say: "Hey, Wayne, we better sit down and talk. There are some changes coming down that are going to affect working people and their pensions. I know you've got a pension committee and you have access to experts in this area too. We need to have some discussion about what's going to happen here



and make sure, if it's at all possible, we can agree on those things that are going to be positive changes." That, to the best of my knowledge, didn't happen. I talked to a fairly senior official of the Ontario Federation of Labour; every word I get is that it didn't happen.

I don't know what the minister is going to do to start showing a little more proof. He's got a couple of cases he can point to, but that doesn't cut it. He can't say, "I talked to you three out of five times." That's not the way this works. The Minister of Labour has an obligation to talk to the labour movement, because I'll bet you dollars to donuts that there were lots of employers that had input into this, and if it wasn't the Minister of Labour, you can bet it was the Minister of Finance or one of the bureaucrats or one of the political people in his office. They talked to employer groups and said: "We've got some stuff coming down that might affect you. We'd better talk." You can bet those discussions happened. But once again, if it's working people or, God forbid, unions, government just doesn't act as if they have any obligation whatsoever in this regard.

So now here we find ourselves a week and a half away from Christmas holidays with a bill that's brought in that's supposedly no big deal—tuck in the little side benefit there to the MPPs, the pension stuff, the RRSP stuff, giving those MPPs who are affected something that others don't have, kind of hide that in there and hope they can hustle this thing through.

I would point out—it was delivered to me not that long ago, so I'll take one second, Speaker, if you'll bear with me. I just realized that I'd like to raise this, and I have it here. But that's the scenario that happened in terms of employers getting input, employees and their representatives not getting input into this, employers gaining more ground in terms of the pension plans that are there for the workers of the province. Nothing for workers. In fact, they are losing rights again.

What's the government's intent with this bill? Well, well, well. I was handed, as was my counterpart, as House leaders for our respective parties, just a short while ago another time allocation motion.

**Mrs McLeod:** Tell me it isn't so.

**Mr Christopherson:** It's so, I'm afraid. The member from Thunder Bay said, "Tell me it's not so." It is. Another time allocation. It's pretty much like all the others. They must have a standard form now, the one that reads at the top, "Anti-democracy Form." It rams it through. There will be no committee hearings; there will be no opportunity for committee of the whole. They're going to shut down second reading debate. The only difference, I would point out to the member from Thunder Bay, is that where normally when they use the hammer they limit us to one sessional day, which is usually about two or two and a half hours, for third reading debate, we're down to an hour with this one.

**Mrs McLeod:** It's getting close to Christmas.

**Mr Christopherson:** It's getting close to Christmas, right. They figure fewer and fewer people are watching,

so they can afford to just squeeze a little tighter than they ever do. So that's there again.

It's important to remember that if perhaps any of us have raised anything during these debates that may be deemed by anyone to be worthy of a second look or, God forbid, an amendment—remember when those used to happen, when there used to be real amendments? We don't have those any more. Why don't we have those any more? Because we don't ever get bills out to committee any more. Why don't we get them out to committee? Because the government says: "The bloody opposition's going to want to let in—do you know who they're going to want to let in here? The public. They're going to want the public to come in here and talk about our legislation."

*Interjection.*

**Mr Christopherson:** I don't think you want to go there, Bert.

That's why we don't have amendments any more. We debated Bill 25 earlier today, 167 pages. Do you know how many opportunities there are for amendments to this bill? Zip. None. The only place you can make amendments is in committee or committee of the whole. They don't send things to committee, so there are no amendments. They never go into committee of the whole.

**Hon Mr Klees:** You know why we don't do that.

**Mr Christopherson:** We know why, and I hear, I believe, the chief government whip. Someone correct me if I'm wrong, but I think that's him muttering from behind the top of his desk, saying, "You know why we don't do that." Yes, I do. Because the last time we went in there, we finally found one little loophole that allowed us to hold up your freight train just rambling down that track, and that was the last time we were ever in committee of the whole.

What's the result of that in terms of good legislation? Remember when you brought in your assessment changes? Remember what happened when you introduced that bill and rammed it through and we said to you, "You're going to make mistakes. You're going to regret this. Slow things down"?

*Interjection.*

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**Mr Christopherson:** Again, I say to the honourable member from across the way, who continues to interject—and in this case you weren't even here in the House, I might point out, in terms of the instant case I'm pointing to—

**Mr Gill:** On a point of order, Mr Speaker: I believe there was a ruling a few days ago that we're not going to address someone for being here or not being here.

**The Acting Speaker:** I'm sorry. I didn't hear you.

**Mr Gill:** I believe we said in the House that we're not going to address somebody saying whether somebody's here present or not.

**The Acting Speaker:** It is, of course, out of order for a member to refer to an absence of another member.

**Mr Patten:** So are you here or aren't you, David?

**Mr Christopherson:** I don't want to leave that open to debate, Richard.

But to the member for Bramalea-Gore-Malton-Springdale, again, my point is that sometimes you do act as if you know everything around here. Your point is well taken to the extent that it is unparliamentary and against the rules to acknowledge when someone is in the House or not, except, if you'd let me finish, because you didn't, because you know everything, I would have said that you weren't in the House because it was in the last Parliament and you weren't elected at that time, which is why I was suggesting this might be the one sliver of information in the whole universe that you might not be fully versed on.

What happened at that time—because you weren't here, I'm going to explain—was that it took six subsequent bills to fix your mistakes. You wouldn't do it in committee because you wanted this bill rammed through, just like you're doing today with 27, just like you're going to do with 25, just like you've done with every other bill and likely will do with every other bill.

We said, "Slow down." Had that bill gone to committee and been looked at properly, we wouldn't have had to go through the long, inefficient, wasteful process of introducing six subsequent pieces of individual legislation with first, second and third reading, because we would have used the mechanisms that were put in place when this Parliament was formed, and in fact when the mother Parliament was formed in England, which is to send it to committee and have members take the time to look at these things individually.

That's why it's so frustrating. It's not just that you're denying us the chance to talk, although for some of us that hurts more than others, I admit. It's because it's not good governance. It's not the way to go. Yet here we are, time allocation. Ram it through. I'm expecting tomorrow that I'll be given a copy of this with the only change being the date changes and the bill number. But it will apply to Bill 25, the amalgamation bill that's also going to shut down all further discussion, eliminate and deny any opportunity for amendments, just as is happening with the bill we're debating tonight, Bill 27.

I won't mention members. I'm more concerned about the outcome than pointing fingers. But I raise these concerns in the hope that perhaps there are those who thought this was fairly innocuous and didn't hurt anyone and that the only politics in it—and I've got to tell you, Speaker, at first blush, so did I. I'm not standing here suggesting that I have this wealth of knowledge that figured these things out by reading this bill, not for one second. But for those who still believed that this is only good news and therefore we'd better watch the politics—and oh, the government pulled a cute little trick attaching the MPP thing. Obviously what they're trying to do is put the opposition in an awkward spot.

I understand why. Nonetheless, when you analyze it, the reality is that it puts the opposition in an awkward spot because they don't want to politically be supporting something that is better for MPPs than the average person, but by the same token they also don't want to be

objecting to a bill that purports to be nothing but good news for people.

You can see that with a little bit of analysis and a little bit of time, a little bit of expertise, things change. We go from what's in legalese to plain language about the implications for ordinary working middle-class people and their quality of life; in this case their quality of life when they retire. And guess what? This doesn't look so good. This is now a problem. I would hope that perhaps some of the other members would have an opportunity to reflect on the fact that there are losses in this bill for ordinary Ontarians. There are ideological policy moves that the government is making that provide benefits to employers at the expense of employees.

I wouldn't be surprised, if we didn't have this time allocation motion and if we were going to be given an opportunity to send this to committee to be looked at, that we would find out that there are further implications. I found when I was dealing as an elected labour leader and all the way through to being a member here that pension matters are extremely complex. You start dealing with actuarial charts and actuarial projections and, as everyone in this House knows, you're dealing with some very complex formulas and some very complex financial concepts that some members may be more comfortable with than others. But unless somebody has done this for a living, I doubt there's anybody here who would feel comfortable picking up this bill, reading it once and feeling adequate to stand up and pass judgment on whether this is a good thing or a bad thing. Yet that's just about what you're doing anyway.

I don't imagine there are too many on the government benches who know the issues that I've raised. Again, it's not because I'm so smart; it's just because we did some digging. Some people at the Ontario Federation of Labour who do have access to these experts conveyed some of that information to us. Some legal people who help out the labour movement from time to time took the time to look at it. They contacted their actuarial experts, and it worked its way back to me standing here mentioning that these are real concerns.

What do I get on the same day that I got this information? A time allocation motion. If we have a situation where I'm raising some legitimate concerns and if there is somebody on the government benches who thinks they know enough about this to stand up and quote chapter and verse of contrary opinion to how I'm analyzing some of these clauses, by all means please do so. But I'm feeling pretty confident that it's sure as hell not going to be all of you.

And yet where is the opportunity in what according to Premier Harris is a very open, transparent, accountable government? Where in that Mike Harris Ontario, that Mike Harris version of democracy, is the opportunity to sit down at the committee level without the pressure of what happens around here during question period and even during these debates—although things don't look too pressurized right now, I admit. Nonetheless, this is not the kind of working environment that you have at



committees, where you literally roll up your sleeves, bring in experts and start going through this paragraph by paragraph so that when somebody says "the employer or, if there is more than one employer, one or more of the employers," and starts making references to sections and subsections, and to subsections of other laws, you can make some sense of it.

That's why we have committees. It's so rare that we do that now. Why is it rare? Is it because you are all so gifted that you don't make mistakes, so why would we need to go to committee? Surely even you wouldn't suggest that. So why? What would the legitimate reason be if you see this trend line over years where there's less and less public opportunity for input, less and less opportunity for opposition members to have a say, less and less opportunity for government members? Don't forget, I sat in a government caucus when I was in the back benches. Yes, you get your say and, yes, you can talk about policy issues, but there's no way you're going through legislation line by line. In fact, the only time you'd ever hold up a bill at a caucus meeting is if you were being lobbied night and day in your riding over a particular clause and you were raising it at caucus, behind closed doors, saying, "For God's sake, Minister, do something; I'm getting killed out there." Other than that, you don't do the kind of clause-by-clause work and you don't invite in the experts.

2120

Think about it. Talk about the height of arrogance: To bring in a bill that deals with something—I didn't hear anybody refusing when I was arguing about how complex these matters are for all of us, not just lay people like me but for other professionals in the room, even some of the lawyers in the room, unless you're an expert in this area. People were not arguing when I was making the case that this is complex stuff. Why then aren't we providing ourselves with the opportunity at the committee level to bring in experts, who can claim to understand these things, to answer the questions that I'm raising and that others have raised? Maybe there are questions we aren't raising that should be raised but we don't know about because the time allocation motion is putting the hammer down on our time to spend on this bill.

**Mr Johnson:** Thank God.

**Mr Christopherson:** I hear one of the members across—I think it was the always helpful Honourable Bert Johnson—saying, "Thank God." You know, that might be a nice little throwaway line for you to get a chuckle from the other Tory backbenchers sitting near you, but there are an awful lot of Ontarians who would be deeply offended that your response to the idea that there's less opportunity for Ontarians to have a say in their own legislation is that you would say to them, "Thank God."

*Interjection.*

**Mr Christopherson:** That's right. You just jumped in, as you always do, and engaged your mouth long before you engaged your brain.

**The Acting Speaker:** Through the Chair, please.

**Mr Christopherson:** You just felt you've got to jump in. Through you, Speaker, he felt he had to jump in, so he jumps in at a moment that in my opinion typifies why we've got a problem. He just sits back there and he says, "Thank God they're not coming in." Meaning what? Who needs the hassle? What do they know? Don't want the unwashed masses in your little private palace? Now he doesn't want to interject. I don't think he knows what he wants.

**Mr Gill:** Just stick to the bill.

**Mr Christopherson:** I will stick to the bill. The member from know everything says, "Stick to the bill." We'd like to, except you're bringing in a time allocation motion that's going to deny us an opportunity to stick to the bill. Right? That's exactly what this does. You, of course, would know all about time allocation motions, like you do everything, and you would know, therefore, that the opportunity for further democratic debate is being muzzled. It's right there, that's the motion. It's going to be put within the next day or so. We'll spend a day debating it and at the end of it, wham, everything locks up and shuts down in terms of Bill 27.

**Hon Mr Turnbull:** We learned it from the NDP.

**Mr Christopherson:** No, no. Let me tell you, any idea of this much railroading is not something you learned from anywhere in Canada, probably anywhere in the Commonwealth. You have set a new standard for denying public input.

This is the same bill, I've already pointed out, that the people who are affected, the employees, have not had an opportunity to be consulted on.

**Hon Mr Turnbull:** He's forgotten the Bob Rae days.

**Mr Christopherson:** Through you, Mr Speaker, I would say to the Minister of Transportation, are you suggesting to me that you find that a perfectly acceptable way to do business with a bill that affects the pensions of working people, that you don't talk to the people who represent the working people? I'm making the allegation that I'll bet your government's had lots of discussion with the employers. That's OK? No. You can say what you need to or say nothing, that's your choice, but I know you well enough that I honestly believe at the end of the day, in terms of fairness and the right condition, you would probably argue—and you're not saying this; it's my observation—and under the right circumstances you might actually say, "You know, Dave, there are times when probably a little more light would be beneficial to the process." Those are my words. I'm not putting words in your mouth.

The fact remains that you can say all you want. You're great talkers, great spin doctors. It breaks my heart to admit it but I give you your due. But nonetheless it's only words. The actions are here in Bill 27 where you're taking away the rights of working people, people who need their pensions, need every benefit they can have in terms of the fairness of administration they're entitled to. You're denying it through the time allocation motion that's going to ram this very same bill through.

On third reading, do you know how much time Mike Harris has deemed this place deserves to spend on this bill that affects people's retirement funds? One hour. If there was a way you could whiz the whole thing through in a day, you'd do it. You would.

**Mr Galt:** Could we?

**Mr Christopherson:** The member for Northumberland says, "Could we?" I know he means it tongue-in-cheek. I happen to believe that deep down, that's exactly what they would do, because they don't believe in democracy and they don't believe in helping working people.

**The Acting Speaker:** Thank you. Questions and comments?

**Mr Sergio:** Compliments to the member for Hamilton West on an in-depth review of Bill 27. I think he has mentioned to the House really the essence of how the government does business. It's the way they go about it inasmuch as what they put in their own legislation is concerned. The member has been saying that if they would have split the bill, we would have already voted on and approved the first part, which deals with assisting the most needy, those who find themselves in very precarious situations and, yes, why not do exactly what the bill is calling for?

I think it is the second part that most of us find offensive. I have to say on behalf of those many seniors I have in my area that they would find it very offensive as well. This goes for members on both sides of the House. I'm speaking on behalf of many colleagues on my own side as well as the rest of the House, who somehow benefit, if you will, from this particular type of legislation. But why bring it out now? Why attach it to the other part of the legislation?

As I said, we would have already dealt with the bill, we would have voted, we would have approved it, if they were sincere enough to say, "This is what we want to do for those people in dire straits, in need." There is absolutely no need to now incorporate the pension plan for the members of the House or past members up to 1995.

There are many seniors in my community who don't have the luxury. They don't even know what RRSP means. I'm sure that if they were to know, they would probably say: "Why not me? Why not us?" This should be the first priority the government should be concerned with. But given the intent of the government, given the agenda the government has and is moving forward with, I am not really surprised. On behalf of my people, I have to say, I'm really sorry the government keeps on going at this pace.

**Mr Johnson:** I was listening to the member for Hamilton West. For most of the time he went on, I disagreed with most of what he said, but listened for the whole hour anyway. I'm going to support, proudly, the bill.

**Mrs McLeod:** I'm very concerned to hear the member for Hamilton West, who is the House leader for his party, tell us that we already have a time allocation motion on the bill that's before us this evening. I'm wondering in fact if the records will show that we voted on any legislation brought forward by this government in its first term, let alone in the beginning of its second term, without having had a time allocation motion.

I think the member for Hamilton West is absolutely right in saying that one of the real difficulties we have with time allocation motions is that it leaves us with absolutely no way to address some very legitimate concerns that might exist on any given piece of legislation.

It used to be that we had committees, that bills were referred routinely to committees, that committees actually functioned to look at how we could improve legislation, that all three parties worked co-operatively to look at amendments and to support amendments that would bring about improvements in legislation. It's hard to remember those days because our committee process has become essentially a farce. Amendments don't get any consideration. Amendments are placed and considered to have been read and have to be voted on when there's been no debate at all in the cases of some of the large legislation.

The member from Hamilton West has brought forward some very real concerns that we haven't had time to identify in this legislation that's before us this evening. I would have liked an opportunity for a better understanding of some of the concerns the labour movement has brought forward, because this bill is supposed to address the concerns many of its members have had.

Earlier this week we passed Bill 23. We didn't support it but the government passed the motion. There was an amendment the government should have brought to that piece of legislation, an amendment to protect health professionals. Many health professionals had asked for the amendment to be brought forward. The government didn't do it. The government could have done it but it was too anxious to pass the bill so it refused to even bring in that amendment.

We need to get back to some due legislative process.

**The Acting Speaker:** It being 9:30 of the clock, the Legislature stands adjourned to 1:30 of the clock tomorrow afternoon.

*The House adjourned at 2130.*



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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 15 December 1999**

**Mercredi 15 décembre 1999**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 15 December 1999

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 15 décembre 1999

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### HÔPITAL MONTFORT MONTFORT HOSPITAL

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** Lundi, le gouvernement a annoncé qu'il ira en appel de la décision de la Cour divisionnaire de l'Ontario concernant l'hôpital Montfort.

Let me remind the Premier that the Montfort Hospital exhausted every available recourse before seeking remedy before the courts. Montfort appealed to the Health Services Restructuring Commission and to the government. In fact, Montfort gave the government every opportunity over a period of three years to intervene and to reverse the decision of the commission.

Montfort n'avait pas de choix. L'hôpital s'est vu forcer de demander l'intervention des tribunaux afin d'assurer le respect et la protection des droits des Franco-Ontariens et Franco-Ontariennes.

Comment le premier ministre peut-il questionner le bien-fondé d'une décision de la Cour divisionnaire reconnaissant les droits fondamentaux des Franco-Ontariens et des Franco-Ontariennes et en même temps affirmer qu'il respecte les droits des francophones de notre province? Quelle contradiction.

Moreover, the Health Services Restructuring Commission no longer has the powers granted by this government. Donc, c'est le gouvernement qui depuis le début détient le pouvoir décisionnel dans ce dossier.

How can the Premier justify using taxpayers' money to appeal a court decision for the wrong reasons, adding to tensions between communities and turning his back on nation-building? Where is the moral backbone of this government?

Le gouvernement a le devoir et l'obligation—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the member's time is up. I'm sorry.

#### SEX OFFENDER REGISTRY

**Ms Marilyn Mushinski (Scarborough Centre):** Today I want to take this opportunity to speak about the importance of Christopher's Law, Ontario's proposed sex

offender registry, to my constituents in Scarborough Centre.

In recent years, Scarborough has had the misfortune of being the location for several high-profile sexual assaults. Just last week three women were sexually assaulted on the same night. This past summer, the bedroom rapist terrorized north Scarborough. And in our most infamous case, the Scarborough rapist, Paul Bernardo, was responsible for a series of vicious sexual assaults.

These terrible crimes are the reason my constituents strongly support the creation of a sex offender registry. Sex offenders are the most despicable criminals in our society. The people of Scarborough deserve every possible protection from these criminals. The people of Scarborough deserve a government that gives police the tools they need to investigate sex offences.

I'm proud to be able to tell my constituents that in creating the sex offender registry, the Mike Harris government has fulfilled one of the recommendations made in the petition to keep Karla Homolka in prison. Over 4,000 Scarborough and area residents signed that petition. I am also very proud to be part of a government that recognizes that we must put the rights of victims ahead of the interests of the criminal rights lobby.

#### EDUCATION FUNDING

**Mr Pat Hoy (Chatham-Kent Essex):** Today I want to talk about priorities. I want to tell you the priorities that parents and students in the communities in my riding tell me they have for education, and how they see the misplaced priorities of this government.

I have received many calls and letters from parents in my riding who are concerned about this government's cuts to classroom education, cuts that have resulted in the elimination of programs for junior kindergarten, adult education and special education.

I spent a whole year working with local parents to save a school that was the very heart and soul of a small rural community called Romney. It was the only school closed by a funding formula that even Mike Harris had to acknowledge was flawed. Under enormous public pressure from parents in every part of Ontario, Mike Harris had to acknowledge his mistake, and before he called the election he changed the formula. But it was too late for Romney. By then, it was closed. The school board acknowledged the unfairness of the Romney decision but they had no money to change it.

Now these parents point out that the government has spent \$2.5 million for frivolous and unnecessary propaganda. That money could have been used to save Romney Central. It could have preserved special education and adult education programs.

Local students have helped to organize the return of over 1,000 millennium books. Totally and completely unsolicited, they returned them to my office and asked that they be returned to sender, with a request to the Harris government to spend tax dollars more wisely.

### HOSPITAL RESTRUCTURING

**Mr Doug Galt (Northumberland):** I am pleased to say that in the eastern part of my riding, the reconstruction of the Trenton Memorial Hospital is nearing completion. Come April or May, I expect patient services will be transferred from the old hospital to the new.

This new hospital was promised by the Liberal government and again was promised by the NDP government, but as usual, none of them came through. Thanks to the efforts of our restructuring commission, it is now being built and will be opened in the year 2000.

This redevelopment project will allow Quinte West to accommodate current demand and future population growth. It will be among the most modern, efficient and up-to-date facilities in the province.

The restructuring taking place in Quinte West, as well as in other parts of my riding, will also provide new services and will help to attract and retain new doctors and medical specialists in these underserved areas.

As well, residents of Northumberland and Quinte West will have access to the latest technology and telemedicine, where local doctors can consult with specialists in larger centres. These innovations and technologies are a result of the unprecedented reinvestment made possible by the hospital restructuring commission.

I'm very proud to be part of a government that has finally delivered on what the former two governments promised, and promised for so long, but failed to come through. I'm proud of our government.

1340

### POVERTY

**Ms Caroline Di Cocco (Sarnia-Lambton):** As this Legislature closes and we ready ourselves for the holiday season, the needs of the poor and the most vulnerable become more acute. Yet we have a Premier who recently said "hogwash" when confronted with the fact that poverty is increasing in Ontario, Canada's richest province.

I want to remind the Premier that he touted another line when he was in opposition in 1992. This is what he said: "Let me hope we can do better for the hungry and for the homeless, for the single mothers, for those who did not get an increase in welfare payments." That is what this Premier said in 1992, that statement from a man who is proud that he has slashed social assistance by 20%. His cuts have swelled the ranks of our most

vulnerable. This is the man who says one thing and does another. Mike Harris said in 1992, "I suggest to the members of the government, when they go home over the Christmas holidays, that they reflect on the most vulnerable in our society and the back of the hand they have received from this government in 1992."

This is the ghost of your Christmas past. I will say, Premier and members of the government, reflect on your own words.

### MILLENNIUM MEMENTO

**Ms Marilyn Churley (Broadview-Greenwood):** I rise today to add my voice to the province-wide protests over this so-called Millennium Memento. I add my voice to the outrage felt by parents, teachers and, most important, the students of this province.

Across Ontario, students have been mobilizing. They are taking action by returning tens of thousands of these books to their local member's office and even to the Legislature. Later today, students from Ottawa will arrive in front of this House with a busload of these books. On Friday, students from Riverdale Collegiate Institute will be delivering over 1,000 copies to my constituency office. I didn't call them. They called me.

What's happening in this province is, the tensions and frustrations created by the government's thoughtless and heartless cuts are starting to boil over. As often happens, the youth of a society are the first to recognize the need for change. That is what is happening right now. By "change" I don't just mean an end to these books, but rather an end to the destruction of our education system. The protests surrounding these books are a symbol of the desperate state of our education system. Students are using old and out-of-date textbooks.

The extracurricular activities that are so important to developing children into creative and motivated adults are being cut, while teachers are being treated as the enemy. Then the government wastes \$2.25 million on these books.

Students have had enough. They want funding restored to their education system. By returning these books and raising these issues, they are making their voices heard. I support them and congratulate them.

**Mrs Julia Munro (York North):** I rise in the House today to congratulate four students from my riding who were chosen from over 100,000 submissions to have their artistic visions included in the My Ontario memento journal.

This keepsake responds to what students and parents have said they wanted as a souvenir of the millennium, a book that records the thoughts and experiences of elementary and secondary students throughout Ontario. These leaders of tomorrow explain in their own words what their contribution to Ontario will be in the future. I am most impressed with the thought and creativity that they have put into their work.

I am pleased that these students from my riding, Karolyn McIlmoyle, Alyssa Young, Emily Klotz and



Alison Petts, continue to see Ontario as a great place to live. Among other predictions, they see Ontario in the year 2020 as a clean and healthy place to live and they see a national hockey league for women.

Through our investments, we are providing Ontario students with a lasting legacy of their participation in commemorating the millennium, a once-in-a-lifetime event. I commend every student who participated in My Ontario and also the teachers and school board officials who helped to make our Ontario a success.

## PREMIER

**Mr Dwight Duncan (Windsor-St Clair):** I see by the Premier's schedule today that he'll be doing a couple of events this afternoon in the legislative precinct, one of which doesn't include attending question period and answering questions from either of the opposition parties. It's unbelievable, his lack of attendance in this House and the arrogance about not coming here, not being here to answer the questions not so much of the opposition, but questions the people of Ontario have to ask and want to put.

Let me just say this, Mr Speaker: I understand the Premier. He runs away from the media, he runs away from the Legislature, and I understand why he's running away now. I understand why the Premier runs away to the Macdonald Block. I understand him running away from all the problems because he doesn't know what to do and he doesn't want to face Dalton McGuinty in this House. That's why he's running away.

"I was taught by my mother and my father and by the values I learned as I grew up that you don't run away from problems. You don't run away from them. You meet them head on. You deal with them. You seek and search and consult wide and far to find solutions."

**Interjections:** Who said that?

**Mr Duncan:** Who said that? Who said it? It was Mike Harris in 1992. Look at this. Look what he did to poor Bob Rae when he refused to come to the House: quote after quote after quote. Shame on the arrogance over there.

## DRESS FOR SUCCESS PROGRAM

**Mr R. Gary Stewart (Peterborough):** I rise today to recognize the innovation and bright ideas coming from the students at St Peter's Secondary School in my riding of Peterborough.

Dress for Success is a volunteer-run organization whose goal is to help women get a start in the work world by providing them with clothes and accessories needed for a job interview. I think this is a great initiative to break the vicious cycle of not having a job because you don't have the clothes because you don't have the money, again because you don't have the job.

If a person who uses this service is successful at her first interview, then she can come back for two more

outfits. This will give those looking for employment that little extra boost of confidence they need.

Having the necessary confidence at a job interview is difficult enough, but it is even more so if you don't have an effective resumé. The volunteers at Dress for Success also help with resumé-writing, as they have a computer and a printer on-site.

I'd like to congratulate the many volunteers who make this program a community success in Peterborough. The dry cleaning is providing by Windsor's Dry Cleaning Centre, the clothing and racks are donated by Just Like New, and Brock Mission donated the space in Cameron House on Chemong Road.

I'd also like to extend a special thanks to the students and staff at St Peter's Secondary School. You're doing a great job, and this government thanks you for your efforts to keep Ontario working.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON ESTIMATES

**Mr Wayne Wettlaufer (Kitchener Centre):** I beg leave to present a report from the standing committee on estimates.

**Clerk at the Table (Ms Lisa Freedman):** Mr Wettlaufer from the standing committee on estimates presents the committee's report as follows:

Pursuant to standing order 60(a), the following estimates, 1999-2000—

**Interjection:** Dispense.

**Mr Dwight Duncan (Windsor-St Clair):** No.

**The Speaker (Hon Gary Carr):** I heard a no.

**Clerk at the Table:** —are reported back to the House as they were not previously selected by the committee for consideration and are deemed to be received and concurred in:

Office of the Assembly:

201 Office of the Assembly, \$94,608,700;

202 Commissioners, \$9,011,600.

Office of the Chief Election Officer:

501 Office of the Chief Election Officer, \$1,812,700.

Ombudsman Ontario:

2301 Ombudsman Ontario, \$7,782,800.

Office of the Provincial Auditor:

2501 Office of the Provincial Auditor, \$7,733,100.

Pursuant to standing order 61(c), the supplementary estimates, 1999-2000, of the following ministries and offices not selected for consideration are deemed passed by the committee and reported to the House in accordance with the terms of the standing order and deemed to be received and concurred in:

Ministry of Finance:

1203 Economic, fiscal—

**Mr Duncan:** Dispense.

**The Speaker (Hon Gary Carr):** Dispense? Agreed.

Pursuant to standing orders 60(b) and 61(c), the report of the committee is deemed to be received and the estimates and supplementary estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

Standing order 62(a) provides that "the standing committee on estimates shall present one report with respect to all of the estimates and supplementary estimates considered pursuant to standing orders 59 and 61 no later than the third Thursday in November of each calendar year."

The House not having received a report from the standing committee on estimates on Thursday, November 18, 1999, as required by the standing orders of this House, pursuant to standing order 62(b) the supplementary estimates before the committee of the Ministry of Community and Social Services, Ministry of Education and Training and the Ministry of Municipal Affairs and Housing, are deemed to be passed by the committee and are deemed to be reported to and received by the House.

1350

## INTRODUCTION OF BILLS

### FRANCHISES ACT, 1999

#### LOI DE 1999 SUR LES FRANCHISES

Mr Martin moved first reading of the following bill:

Bill 35, An Act to regulate Franchise Agreements /  
Projet de loi 35, Loi visant à réglementer les contrats de  
franchisage.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member for a short explanation.

**Mr Tony Martin (Sault Ste Marie):** This bill is complementary to the bill introduced yesterday by the Minister of Consumer and Commercial Relations, Mr Runciman. I am happy to report to the House that I had a meeting with Mr Runciman last evening and it seems there is agreement that there is more that needs to be done here and that we're going to work together to make sure this bill works its way through the process that's available to us here, that we will have substantial and full hearings on it, and that at the end of the day we will all be happy with what it is we have approved in the interest of fairness in franchising in the province of Ontario.

## ORAL QUESTIONS

### MEMBERS' PENSIONS

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Finance. Minister, with reference to Bill 27, we have discovered deep down

inside a delightful Christmas gift that you intend to give to a select group of MPPs in this Legislature. I want to make it perfectly clear in this House today that I and my party will have none of it. Your special provision says that MPPs are going to have special access to their pension funds. You're going to give a right to MPPs that none of the other 11 million Ontarians are going to be able to enjoy. Your new bill will allow some of our MPPs to have instant access to their pension plan at the age of 55 when you're going to give no other Ontarian that same said right. Minister, how can you possibly justify this double standard?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** First of all, people are not going to have access to money at age 55; they have to be retired first to access money which will be treated as a registered retirement savings plan. That was always behind the thinking of scrapping the former gold-plated MPPs' pension plan. That was always the thinking. And by the way, that's exactly what your party agreed to when it was discussed at the time.

**Mr McGuinty:** So that Ontarians, who are paying very close attention to these proceedings here today, understand what we're talking about, everybody outside of this Legislature who's not part of the special group about to be the recipient of a special gift from this government has to be able to plead financial hardship. They've got to before the superintendent of financial services and they've got to get down on bended knee and plead for immediate access to their locked-in pension fund. There is no such requirement to be placed on MPPs. What you are doing here is giving yourself a right, a benefit, a privilege which is not to be enjoyed by any other Ontarian.

Again, Minister, I ask you, how can you possibly justify this double standard? Why is it that MPPs, from your perspective, are entitled to a very special right and a special privilege that nobody else is entitled to enjoy?

**Hon Mr Eves:** First of all, it is not a pension fund; it is not a pension plan. The pension plan was scrapped. We tried to put former MPPs—

*Interjections.*

**The Speaker (Hon Gary Carr):** Would the minister take his seat. We can't continue if I can't hear the minister because of the yelling and screaming.

**Hon Mr Eves:** We are trying to put former MPPs in the same position they would have been in had they a registered retirement savings plan. You're right, those 61 members and former members are being treated differently than any member of the public. They're the only 61 people in the entire history of the province of Ontario to unilaterally have their pension plans scrapped by the Ontario Legislative Assembly. So they are being treated differently. Every member who was entitled to that plan that previously existed, who had their rights vested, is probably giving up about two thirds of the value of that plan by accepting about one third, roughly, of what he or she would have been entitled to, to be treated as a registered retirement savings plan.



**Mr Dwight Duncan (Windsor-St Clair):** Absolute nonsense.

**Hon Mr Eves:** That is not nonsense, I say to the honourable member.

**The Speaker:** Order. The minister's time is up. Minister of Finance, I would appreciate it when I stand if you would—when his time is up, we go to one minute.

**Mr McGuinty:** I must say that my heart bleeds for this Minister of Finance who, when this pension was changed, was left with the paltry payout of close to \$1 million at the expense of Ontario taxpayers. That's what we're talking about here today. That's what this is all about.

Let's add all these things up together. This is a government where the Premier doubled the size of his staff. He then gave his staff 30% pay hikes.

*Interjections.*

**The Speaker:** Order. Members of the official opposition, I can't even hear the leader asking the question when the members are shouting. I would appreciate it if you would allow some quiet so we can hear. I say to the Minister of Education, would she please come to order as well.

**Mr McGuinty:** Minister, your arrogance is showing. First your Premier doubles the size of his staff, then he awards them a 30% pay hike, then he works a three-, maybe sometimes a four-day workweek, and now we have a piece of legislation being rammed through this Legislature—there will be no public hearings—and it's going to give a select group of MPPs, yourself included, Minister, and also your Premier, a special entitlement to immediate access to a locked-in retirement account at the age of 55, a right to be enjoyed by no other Ontarian. I ask you again, Minister, how can you justify this double standard?

**Hon Mr Eves:** There are members and former members on both sides representing all three political parties in this Legislature who are getting exactly the same treatment. I might point out that all three parties agreed to this back in 1996.

*Interjections:* No.

**Hon Mr Eves:** Yes, they did. I was present at the meeting.

**Mr Duncan:** On a point of order, Mr Speaker: That is factually incorrect. No one on this side of the House has that recollection.

**The Speaker:** That is not a point of order. The member knows that.

Was the Minister of Finance finished?

New question.

1400

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Mr Dalton McGuinty (Leader of the Opposition):** My question, in the absence of the Premier, is for the Minister of the Environment.

**The Speaker (Hon Gary Carr):** Order. We've said this before: We cannot refer to people being here or not being here. I've said it before.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order—

**The Speaker:** Just a moment while I speak. Member take his seat.

We've done this before. There are occasions when what will happen, as I explained to all the members, is that some afternoons when some of the opposition are not here, we're going to go back and forth. It is in the standing orders, and we can't do it. I would thank the member to not refer to anybody being here or not being here.

**Mr Duncan:** On a point of order, Mr Speaker: It has become almost impossible to have the Premier of Ontario come to this House to answer questions. He's in the legislative precinct—

**The Speaker:** That's not a point of order. Member take his seat. It's not a point of order.

Question, the Leader of the Opposition.

**Mr McGuinty:** My question is for the Minister of the Environment. You know that our province is in desperate need of a strong and tenacious, highly intelligent new Environmental Commissioner. I want to describe for you the impeccable credentials of the person you have chosen to be our new Environmental Commissioner here in Ontario.

This person was a provincial Tory candidate in Cochrane South in 1995. This person was a federal Tory candidate in Nipissing in 1997. This person acted as the president of the Tory riding association, in the riding of Nipissing as well, in the past.

Instead of looking after the environment, Minister, it is perfectly obvious that you are looking after the Premier's pals. How can you justify the appointment of Gordon Miller, a man with impeccable Tory credentials, as our province's new environmental watchdog?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** Since I don't know what the honourable member is talking about, I'll refer the question to the person who does: the House leader.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** There is a process that a committee of this Legislature has gone through and that process is not at an end. I don't believe there has been any conclusion to that process at this moment in time. Perhaps it's a little bit premature on the part of the Leader of the Opposition to attack a man who has not even agreed to take the position. Perhaps the Leader of the Opposition opposes the process which his House leader recommended to the House leaders to undertake.

**Hon Chris Stockwell (Minister of Labour):** On a point of order, Mr Speaker: I'd like you to rule whether or not this question is in fact in order to be asked of a member of the government.

**The Speaker:** Yes, I believe it is in order. Supplementary.

**Mr McGuinty:** The question is for the Minister of the Environment and I'll go back to the Minister of the Environment. Your job is to ensure that when it comes to the appointment of the new environmental watchdog, we are appointing a pit bull, not a chihuahua. We want a watchdog, not a lapdog. You're putting somebody in place whose credentials are absolutely impeccable in terms of their blue-blooded Tory lineage, but they have nothing of substance to offer when it comes to protecting our environment in the province of Ontario.

I'm asking you again, Minister: How can you justify the appointment of this man to a job which is demanding, and, given your government's track record, given your failure to protect the natural environment of Ontario, how could you possibly put forward the name of somebody who has nothing to do with the environment and everything to do with your party?

**Hon Mr Sterling:** It is not the duty of any minister of the crown to appoint the Environmental Commissioner. It is the job of this Legislative Assembly to appoint the Environmental Commissioner. That is what the Environmental—

*Interjections.*

**The Speaker:** The House leader take his seat. Order. Government House leader.

**Hon Mr Sterling:** It is clear in the Environmental Bill of Rights that the Environmental Commissioner is appointed by this Legislative Assembly, on address to this Legislative Assembly. When the committee of the Legislature which has been asked to look into this question has a recommendation, there will be a motion in front of this Legislature in order to carry that wish out, and at that time members of the Legislature can express their opinions with regard to this matter.

**Mr McGuinty:** Listen, the fix was in when it came to this matter and the fix was in from the outset. Don't give us any of this claptrap about it somehow being the responsibility of the collectivity inside this Legislature. It has everything to do with this government. It has everything to do with Mike Harris. It has everything to do with his personal, handpicked choice to be the new Environmental Commissioner, somebody who's on the side of Mike Harris as opposed to being on side of the people of Ontario. That's what this is all about.

We've heard much that these were the people who were going to come and fix government. Now we discover that they themselves are doing everything they can to ensure they remain at the trough. At the same time they're leading their friends to the public trough. These aren't the people who came to fix government. These aren't the people who are here to help Ontario. These are the Mike Harris people who are here to help themselves. I have no more questions for this government.

**Hon Mr Sterling:** Apart from the total disrespect for this House—

*Interjections.*

**The Speaker:** Minister, take your seat. Order. The members will come to order so he can answer the question, please.

**Hon Mr Sterling:**—and disrespect for the committee that heard this particular matter, I'm informed, for instance, by a member of the committee who just wrote to me that this particular candidate, Mr Miller, was the number one choice of the people who were working for the Legislative Assembly and were rating the candidates for their skill in taking this job.

The Leader of the Opposition not only shows a total lack of understanding for the process, but also goes about slandering people who are putting their name forward for public appointment by this Legislative Assembly. I respect this Legislature. I respect this institution. Mr McGuinty certainly doesn't.

## EMERGENCY SERVICES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Health and it concerns the very critical problems that we're having in emergency rooms now across the province. Minister, it was your health care restructuring commission that came forward and made recommendations that you followed when you went out there and started cutting emergency care.

According to the Specialists Coalition of Ontario, that commission used wrong information to convince the public that there was a surplus in hospital beds. You seized on that misinformation and you cut 5,500 beds province-wide. Now we see that record numbers of emergency patients are being turned away from hospitals, record numbers, unprecedented numbers, that the coalition of specialists refer to. They say that the worst is yet to come, that the problem is not getting better and that it's not going to get better; it's going to get worse.

You, Minister, chose to cut hospital beds, to gut emergency rooms to finance an income tax cut. This is the result. Tell us what you are going to do to fix a problem that you and your government created?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** You are fearmongering. There have been no cuts to emergency rooms. There have been no cuts to health care funding. In fact, the cuts to beds in the province of Ontario occurred on your watch. There were 10,000 beds cut before our government came to office and it is our government that is expanding the capacity of 56 emergency rooms in Ontario. It is our government that has made available more than \$300 million to address the issue of emergency room pressures and we will continue to take the needed steps to make sure that people in Ontario have access to the system.

1410

**Mr Hampton:** In 1995 when you became the government, here in Toronto, if you added up the total hours, hospitals were only on critical care bypass for three days in the month of October, for three days. You've been the government now for almost five years and it's now 41 days they were on critical care bypass during the month of October. That's what you've done, Minister. No one else did that. No one else gave the orders to cut more beds. No one else gave the orders to turn nursing into a



part-time, casual occupation rather than a full-time one. No one else has presided over the nursing crisis. You have, and no one else.

The question is, now that the crisis is getting worse, now that the Ontario Medical Association and the Ontario Nurses Association, the Specialists Coalition of Ontario, the paramedics of Ontario, and the Kyle Martyn coroner's inquest have all blown the whistle on you, what are you going to do to fix the problem that you and your government alone have created?

**Hon Mrs Witmer:** I'd just like to remind you what you did. The NDP and Liberal governments closed 10,000 beds. The NDP government reduced entrance to medical schools by 10%. The NDP social contract cut funding for hospitals, doctors and home care by—

*Interjections.*

**The Speaker (Hon Gary Carr):** Minister, take your seat. Order. We're not going to continue while the members are shouting across from each other. Both sides were doing it. We'll just wait.

Minister of Health?

**Hon Mrs Witmer:** Let me continue. The NDP cut \$60 million out of psychiatric hospitals. The NDP delisted 486 drugs. The NDP and Liberal governments did not open one new long-term-care bed in the 10 years prior to our getting here.

We are the government that has increased health care funding from \$17.4 billion to \$20.6 billion. We are the government that recognized that it was time to deal with the pressures in the emergency room, we are the government that is meeting with the hospitals and the ambulance, and we are the government that will continue to find solutions to provide high-quality health services for the people in the province of Ontario.

**Mr Hampton:** Minister, you can recite all those numbers you want. The fact of the matter is that this problem has gotten out of control, has become a crisis, since you were the government—since you were the government that claimed to have all the answers and went in there and started cutting and slashing and has made whatever was a problem into a crisis.

Minister, you said you were going to hire 10,000 new nurses by year-end. We're now into the middle of December and I want you to go out there and find the 10,000 new nurses you've hired.

You were the minister who said you were going to make sure that \$300 million was available to help with the emergency room crisis, but when you go out there and talk to the hospitals, they can't find the \$300 million. Most of them can't find the money to deal with their continuing operating deficit because you've continued to cut their funds.

Don't recite what happened in 1980 or 1990 and then say somehow that that has led to the debacle you're presiding over. You and your government have been in charge of health care now for almost five years.

**The Speaker:** Sorry, the member's time is up.

**Hon Mrs Witmer:** I am very pleased to say that what we are doing is what you did not do. We were the very

last province in all of Canada to embark on restructuring of the health care system. There is a need for modernization. There is a need to strengthen the system. There is a need to make sure that people have services closer to home.

We have about 25 additional dialysis centres; recently, we are opening one in Penetanguishene. These are the improvements that we have made. We have three new comprehensive cardiac centres under construction. We have five new cancer centres under construction. We have increased the funding for cancer, for cardiac, for hip and knee, for dialysis, and we're spending money to construct 20,000 new long-term-care beds because you refused to do any. We've also flowed \$225 million to ensure that we have opened additional beds in hospitals, providing additional community services and interim long-term-care beds. We also will have an additional 6,000 nurses by the end of 1999-2000.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Mr Howard Hampton (Kenora-Rainy River):** My next question is for the Deputy Premier, and I think we need to go to the Deputy Premier because we need to have a sense of where the government stands.

Deputy Premier, we know that the general government committee has gone through a search for a new Environmental Commissioner for Ontario. There are some things that were very disturbing. I want to ask you this: What would you think of the candidate who put forward their resumé and didn't admit on their resumé, didn't come forward and say: "In 1995 I was a candidate for the Conservative Party. In 1997 I was a candidate for the Conservative Party. I wish to disclose that I am the president of the Conservative riding association in the Premier's own riding. I want to disclose that I used to be an employee of the Ministry of the Environment at one time, but when they downsized the ministry in 1996 they let me go."

What would you think, Deputy Premier, if someone put forward a resumé in a job application and omitted all of those significant details?

**The Speaker (Hon Gary Carr):** The members will know they have to ask questions relating to a minister's particular portfolio. I missed the first question that came through and didn't hear who the appointment was.

*Interjection.*

**The Speaker:** Just a minute, please, member. I'm speaking. Thank you very much.

The member will know it has to be a question to the minister in his or her portfolio.

**Mr Hampton:** With due respect, Speaker, I would have ordinarily addressed this to the Premier, because I think this is a very important position and institution in the province, and I'm addressing it to the Deputy Premier because I think we need to know where the government stands on these important questions.

**The Speaker:** The member cannot ask a question that is not in the minister's portfolio. This is not. It is not. It's dealing with the Legislative—

*Interjections.*

**The Speaker:** Order, please. No, order. I'm trying to clarify it and I'd appreciate it if the members wouldn't shout while I'm trying to clarify it.

It's very clear, you cannot ask questions outside of the minister's responsibility. It is clearly out of order to ask this question. I apologize to the member in missing the first question from the Leader of the Opposition. I didn't hear that it was the Environmental Commissioner until after the minister had gotten up. The question I thought was relating to some appointment. I missed that one. You cannot ask a question that is not part of the minister's portfolio, simple as that.

Does the member have a question?

**Mr Hampton:** I have a question for the Deputy Premier. This concerns a very important position in the public service of Ontario. It concerns a very important position in terms of protecting the environment in Ontario. I don't need to remind you of your government's terrible record on the environment. I don't need to remind you how important the job of Environmental Commissioner is in protecting the environment. So this is a very important issue for your government and I want to ask you, what do you think when someone comes forward and doesn't put on their resumé that they've been a Conservative candidate in 1995, a Conservative candidate in 1997, they are now the president of the Conservative riding association in the Premier's own riding and that in 1996, when the Ministry of the Environment was forced by your government to downsize, this person was in fact told by the Ministry of the Environment that they were not needed any more?

**The Speaker:** Come to order. I will say again clearly, this is not a question that relates to anything dealing with the government. It is a part of the Legislative Assembly and the question is not related. It is definitely out of order and I've been very clear. The member can't continue to ask the question to get around it. Now, if he has a question I will allow the question, but very clearly this comes under the responsibility of the Legislature and not the Deputy Premier's portfolio.

1420

**Mr Hampton:** On a point of order, Speaker: This is an incredibly important position in terms of public policy in Ontario. I am asking the government about—

**The Speaker:** Order. The member take his seat.

It is a very important position but it does not relate to the government's portfolio. That position does not report to the minister to whom he's asking the question and it is not a part of his ministry and it is clearly out of order. I have ruled very clearly.

*Interjections.*

**The Speaker:** Order.

I apologize on the first question. I should have said it when the Leader of the Opposition did it. That one got by. I'm clarifying it now: You have to ask the question to

the minister in his or her responsibility. These positions do not report to the particular minister, they report to this Legislative Assembly and therefore the question is out of order. If you have another question, I will entertain it; if not, we'll go on to the next question.

**Hon Frank Klees (Minister without Portfolio):** On a point of order, Speaker: I'd like you to clarify for the House what the process is here and how appropriate it is for any question to be raised in this House regarding a process that has taken place in camera, where the information is deemed to be confidential and available only to those members of this House who were participating in that. I think we're setting a precedent here that is not good for this House or anyone else applying to a position. I would appeal to you to make a ruling on that very issue.

**The Speaker:** I will say to the member, I have no idea how the information came out or how the question came. I had no idea who the people were speaking about. But the standing orders are very clear: You have to ask a question relating to the minister's portfolio. These particular positions report to the Legislative Assembly and therefore there is no government minister who is directly responsible.

I will just say very quickly that I have done my ruling. I will entertain points of order, but you should realize you are going to be losing question period. The clock will run.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Speaker: Earlier in the session the government House leader responded to a question and indicated that he had seen the documents related to the background of a number of the candidates. Our understanding was that only the members of that committee could see them. Therefore, if the government is not influencing this process, how did the government House leader know about the background—

**The Speaker:** I have no idea, and it is not a point of order.

The leader of the third party with a question.

**Mr Hampton:** My question is for the Acting Premier. I'm asking you, as Acting Premier, about the conduct of members of your government. I'm asking you about the conduct of members of the government caucus. I understand that members of the government caucus have put forward the recommendation of Gordon Miller to be the Environmental Commissioner. I want to ask you, what do you think of your members when they put forward this recommendation?

**The Speaker:** Order. The member is still going back at the same question and asking something that is not the responsibility of the minister. With all due respect, and I'll say it again very clearly, these positions do not report to any particular government minister; they report to this Legislature. Therefore, it is out of order to ask any minister a question relating to this. I understand there's some concern—

*Interjections.*



**The Speaker:** Order. I'm not going to shout over the members while I'm trying to explain. Member for Nickel Belt, please come to order.

The member cannot ask a question relating to the Legislative Assembly. If he has another question, he may proceed.

*Interjection.*

**The Speaker:** I apologize. I missed that.

**Mr Hampton:** Acting Premier, I understand that you are responsible for your government. I understand that you are responsible for the conduct of government members. I would like to ask you a question of accountability about Mr Brandt today, but I want to ask you a question of accountability of government members on the general government committee.

My question is this: When someone puts forward a resumé and they don't disclose in that resume a number of material facts and your government still puts forward that—

**The Speaker:** Order. The member can't get around it and I'm going to be very clear. This is the last time I'm going to ask him; otherwise I will go on to the next question. You cannot ask a question that is not a part—and the time to deal with this is when the motion comes forward dealing with the particular appointment. You cannot ask questions—I want to be very clear—that is not a part—the standing orders are very clear—that are not a part of a ministry. This is very clear. These positions report to the Legislative Assembly, not to the Minister of Finance or, quite frankly, any other ministry of the crown. It reports to the Legislature.

There is a process that is there for everyone and you are not allowed to ask a question. Last opportunity, otherwise I will go to the next party for questions.

**Mr Hampton:** My question is for the Deputy Premier. A given individual in a 1995 election campaign received contributions from Falconbridge Ltd, Mallette Lumber, Abitibi-Price, Timmins Forest Products, Millson Forestry Service, Timmins Logging Inc, Westland Logging, Gaetan Levesque Logging, Mallette Inc. A given individual in 1997 received large contributions from Grant Lumber, Columbia Forest, Erocon Waste Management, Columbia Forest Products, among other organizations dealing with waste management.

My question is—I'm asking you your opinion here as the head of the government—do you think such an individual would be qualified to be the protector of the environment and the Environmental Commissioner in Ontario?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** I have no knowledge of the matters to which the leader of the third party refers to. It's not under my purview.

**Mr Hampton:** I ask you these questions because government members, members of your caucus, apparently believe that someone of that background is prepared and is acceptable to be the chief environmental watchdog in the province. I ask you again, as the head of the government, as someone who has some responsibility

for the environment: Do you think it is acceptable? Do you think it is a good thing for the protection of the environment in Ontario if someone from that background, with those political connections—do you think they're going to be a good protector of the environment in Ontario?

**Hon Mr Eves:** I think that individual members of the Legislature, in whatever aspect of their duties, whether they're members of the general government committee or whatever committee, will follow their own conscience and represent their constituents regardless of what political party they represent.

## EMERGENCY SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** I have a question for the Minister of Health. You have been entirely dismissive of the medical emergency crisis into which you have plunged our province, so I want to read to you a statement released yesterday by the Specialists Coalition of Ontario. "Specialists have a medical duty to patients to blow the whistle on the Ontario government's refusal to acknowledge what everyone knows is a patient care disaster of unprecedented proportions in Ontario emergency rooms. The public must be told that this government is threatening their health in virtually every community in the province by making insufficient investments to support emergency medical care."

Minister, on your watch you've cut over \$800 million from our hospitals. You have cut over 5,500 acute care beds, resulting in the incidence of ambulances being turned away from our emergency rooms increasing 14-fold.

There is one simple, neat and tidy solution that you can implement effective immediately. We need 400 new beds today. Minister, it's a simple question: Will you give us those 400 new beds we so desperately need?

1430

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** The Leader of the Opposition knows full well that unfortunately emergency room pressures are not a new issue in Ontario. In fact, if he reads the newspapers, he will unfortunately discover that from coast to coast in the country called Canada there are health pressures on emergency rooms.

The leader also knows full well that we were the very first government that acknowledged the fact that there were pressures on the system. We were the ones who set up the emergency task force with our partners in the hospital system. We were—

*Interjection.*

**The Speaker (Hon Gary Carr):** The member for Windsor-St Clair, this is his last warning. Minister of Health.

**Hon Mrs Witmer:** We were the first government to acknowledge the pressures in the system in this province. We were the government that set up the emergency room task force. We were also the government that responded

to every one of the recommendations. We have invested not only \$225 million, but also we have fast-tracked \$97 million to increase the capacity of 56 emergency rooms in Ontario.

We have shown that we care and we are meeting today with the Ontario Hospital Association—

**The Speaker:** I'm sorry, the minister's time is up.

**Mr McGuinty:** I want to repeat for the benefit of the minister, because she apparently didn't hear it the first time around, that Ontario doctors are saying, and I quote, that it's time to acknowledge "what everyone knows is a patient care disaster of unprecedented proportions in Ontario emergency rooms." That means this has never, ever happened before in Ontario. This has been cultivated on your watch.

It seems to me that the people of this province are entitled to take comfort in the notion that if somebody in the family experiences a medical emergency—if your mother is involved in a car accident, if your child is found at the bottom of the pool, if your dad is injured on the job—you're entitled to expect that if you're going to be picked up by an ambulance, there will be an emergency department open.

You're letting Ontario families down. There is a neat and simple solution: 400 new beds. Will you give them to us?

**Hon Mrs Witmer:** The Leader of the Opposition knows full well that we have worked very co-operatively with all our health partners. We have responded to all of their requests and today we are having a further meeting with the Ontario Hospital Association. We were having a meeting with the Toronto Ambulance association. We are very prepared to listen to the proposals and we also have proposals that we're putting on the table. We are prepared to take the further steps that are necessary to ensure that people in this province have access to the system.

Again I would remind the leader of the second party that we are the government which has increased funding for health from \$17.4 billion to \$20.6 billion, with no help from their federal cousins. It's their federal cousins who have cut health care.

## SKILLS TRAINING

**Mr Brad Clark (Stoney Creek):** My question is for the Minister of Training, Colleges and Universities. In 1996 the Prime Minister promised to transfer responsibility for training and employment services from Ottawa to the provinces. Three years later Ontario stands as the only province that has no such agreement with the federal government. Like every region represented in this House, there are unemployed people in my riding who need training and effective services so they can take full advantage of Ontario's economic boom and our changing economy. Minister, what are you doing to ensure that this federal promise is not broken at the expense of Ontario?

**Hon Dianne Cunningham (Minister of Training, Colleges and Universities):** I'd like to thank the member

for Stoney Creek for his question and for bringing this to the attention of the House. I know that every member in this Legislative Assembly has had people who are eligible for EI training dollars who do not have the same amount of accessibility as if they lived in another province.

I think all of us in this Legislative Assembly should be made aware of the fact that those individuals, employers and employees just in this past year contributed \$7.8 billion to the EI fund. In return, benefits paid to employees who are eligible for EI funds were \$3.1 billion. This means that the public of Ontario, employers and employees, are contributing to this massive \$26-billion surplus.

I would like to tell the member that I intend to work with Minister Stewart to do my very best, I hope with the help of every member of this Legislative Assembly, to get a training agreement, a fair training agreement, a fair-share training agreement for our workers in Ontario.

**Mr Clark:** In Ontario, we make up 40% of the national workforce and 55% of the national GDP. Our economy has a high demand for skills in fields like construction and manufacturing. Ontario workers need fair funding of training programs to allow them to upgrade their skills, obtain better jobs in a growing and changing economy and, ultimately, to better provide for their families.

The federal government spends an average of \$2,695 for every unemployed person in Newfoundland and only \$1,190 for an unemployed person in Ontario. I don't understand how the 100 Ontario members of Parliament in the federal government can justify this policy.

What are you doing to ensure that Ontario receives the adequate funding it deserves from Ottawa?

*Interjections.*

**Hon Mrs Cunningham:** I am appalled, at this moment in time, as we get a sensible, responsible question from the member from Stoney Creek, that the Liberal members of this Parliament, of this House, are laughing and heckling. I would suggest that every single unemployed worker, any person eligible for EI training who is not getting it now, should pick up the phone and phone their Liberal MPP, who thinks we should sign an agreement that would give our people less access to training than any other—

**Mr John Gerretsen (Kingston and the Islands):** Everybody else has. Why don't you?

**The Speaker (Hon Gary Carr):** Member for Kingston and the Islands, please come to order.

**Hon Mrs Cunningham:** Mr Speaker, I thank you for that. The member for Kingston and the Islands doesn't really think that the people in Kingston should have the same level of access to labour market training that the people in New Brunswick and the people in Quebec have. That is wrong.

I will be working with I hope a more responsible minister, who also represents the people of Ontario, to get a fair labour market agreement, as the Premier—

**The Speaker:** The minister's time is up.



**Mr Gerretsen:** On a point of privilege, Mr Speaker: I believe that my privilege as a member of this House has been abused by the minister's making insinuations about the people in Kingston and the Islands. The people of Kingston and the Islands want you to sign this agreement—

*Interjections.*

**The Speaker:** Order. We're at the end of the session. The tempers are up. I would ask all members to try to consider. We're coming to a close. I understand—

*Interjections.*

**The Speaker:** Order. Member for Kingston and the Islands, come to order.

I would ask all members to try as best they can to not be confrontational. We're coming to the end of a session. Tempers are heated. I would ask all members to please consider their tone in this House. I understand that towards the end of sessions we are going to get this way, but it is not helpful when we're shouting across and then we get into the points of order.

#### AFFORDABLE HOUSING

**Mr David Caplan (Don Valley East):** I have a question to the Minister of Municipal Affairs and Housing. This morning I attended a meeting with city of Toronto councillors. They confirmed some rather disturbing information, and I'd like to ask you about it today.

Recently you signed the devolution agreement on social housing with the federal government. That agreement produced an immediate savings of \$85 million. According to your own agreement, every penny of these so-called savings is to be reinvested in housing. The first \$50 million has been committed to a future rent supplement program. But we had confirmed for us today that you've skimmed \$25 million off the top for your own cost-cutting measures, and there's another \$10 million that you won't even talk about.

In the words of the Toronto councillors, "This is piracy." How do you explain the fact that the ink has only been dry for one month and you've broken your own agreement at a time when there's an affordable housing crisis in the province? Why are you taking \$35 million already in housing out of that program in this province?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** The honourable member should work a bit harder to get his facts straight. I'm very proud to say this government was able to sign that agreement with the federal government, and we immediately dedicated funds where they are needed: \$30 million is going for capital improvements on the housing stock that is going to be devolved to the level of government which best has the ability to deliver that—the municipalities—and another \$50 million going for rental supplements so an additional 10,000 hard-working families here in Ontario have the ability to access rental

supplements. That's our record, a record of which we're particularly proud.

1440

**Mr Caplan:** Minister, there's a \$143-million windfall to your government. The facts are clear that you view this only as a cash grab for the Harris government at the expense of municipal taxpayers.

Here's another example: During estimates, your deputy minister indicated that you would be transferring a significant portion of the risk and future costs of this housing portfolio on to municipalities. In your agreement, you negotiated \$58 million towards the costs associated with these risks. To date, you've committed more than half to a reserve fund that you mentioned earlier.

Minister, what do you have to say to municipal taxpayers who have to assume all of these costs when you're driving the getaway car with the money? What are you doing with the money? Why won't you spend these housing dollars on housing? Instead, why are you putting them in your own pocketbook?

**Hon Mr Clement:** I know the honourable member has difficulty understanding sound management practices because he's a member of that caucus, but the answer to his question is sound management practices. Here's a case where we are putting aside reserves for the benefit of the municipalities to ensure there is money there for when a riskier situation takes place in terms of mortgage rates and interest rates. So we are practising sound management policies. We are flowing through the money for capital expenditures, \$30 million. We are flowing through the money for 10,000 hard-working Ontario families so the rental supplement is there. And we are putting aside a little bit of money to manage the risk in the future. That's called sound management practices. Perhaps the honourable member should learn a little bit about it and read up on it. Maybe it would help him in the future.

#### SOCIAL ASSISTANCE

**Mrs Tina R. Molinari (Thornhill):** My question is for the Minister of Community and Social Services. Most recently, I read that more than 11,000 people stopped relying on welfare in the month of November. This marks the 22nd consecutive month that the number of people on welfare has declined. A total of 462,790 people have left the welfare rolls since June 1995.

My constituents in Thornhill consistently tell me they are pleased with this progress and the direction, but I find it hard to believe the decline is so consistent. Minister, how can you explain the steady, ongoing, 22-month-long series of declines?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** The best way to explain the dramatic and consistent decline in our welfare rates is the consistent support that this government and this caucus have given to welfare reform in Ontario. In 1995 we set out to fix a

system that was out of control. When we took office, Ontario had more than a million people trapped in a system that wasn't working. That means more than 12% of the population was trapped in a bad system.

#### *Interjections.*

**Hon Mr Baird:** I know the members opposite in the Liberal Party don't support workfare and they laugh at the success of helping people move from welfare to work. Under their leadership, Ontario went from having one of the best welfare caseloads in the country to one of the highest. They consistently aren't supporting work for welfare. They believe in cottagefare; they believe in the money-for-nothing welfare policies of the past. I can indicate to the member opposite and her constituents that we won't turn the clock back.

**Mrs Molinari:** As we know, when someone experiences a major change in their life, it's not always easy. Families with children need help when moving from welfare to work. In York region alone, as of October 1999, the decline has been a total of 6,690 people who have left the welfare rolls. This is a 62.2% decrease since June 1995.

What are you doing to make the transition from welfare to work as smooth and effective as possible for all the families that are breaking out of this cycle, not only those in York region but all over the province?

**Hon Mr Baird:** Providing supports to help people move from welfare to work is an important priority, I know, not only for people in York region but for people right across Ontario. That's why we've undertaken a number of initiatives. We're giving people experience through community participation. We're giving people encouragement and incentive through our earn back program. We're giving people training through learnfare.

We've also done a lot to try to help low- and modest-income families break the cycle of welfare dependency. We've put in place a number of supports. Through our earn back program people can access supports such as travel costs, minor fees for certification and other safety-related equipment like shoes and whatnot to help them get the support they need.

We've also been leading advocates with the federal government to try to encourage the national child benefit to be an incentive to low- and modest-income working families. This government has provided additional support through the Ontario child care supplement for working families, providing an additional \$200 million to low- and modest-income families to help them escape the trap of welfare.

We're committed to continuing with welfare programs. We're committed to help more people move from welfare to work.

#### TENANT PROTECTION

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Municipal Affairs and Housing. Minister, today there was yet another demonstration against the shameful way tenants and the homeless are

being treated by your government. It's almost Christmas but in a Scrooge-like manner, you, Minister, and your government have celebrated by raiding the pockets of tenants and giving it to the landlords. In Toronto this year, thanks to your legislation, the landlords have claimed at least, I say as a minimum, \$282 million out of the pockets of tenants. Minister, why have you grabbed \$280 million from tenants to give to landlords?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** I assume the honourable member knows how the Tenant Protection Act works and how it worked in the past, and maybe if he searched his memory and perhaps his conscience he would also understand that under the old systems that were in place, the tenants were subjected to greater rent hikes and less accountability by the landlord than under the current Tenant Protection Act.

We have a system that is in place now. For next year the maximum rent increase is 2.6%, which is the lowest it's been in many years, certainly under the course of the government with which he participated. Those increases are there to ensure that the capital stock is preserved and to ensure that the management is operational on behalf of the tenants. But certainly the system is working better now than it had under the previous 10 years of previous governments.

**Mr Marchese:** It's such shameful garbage that I have to hear from this minister. It's shameful to me. The minister ought to know, if he doesn't but I suspect he does, that in Toronto tenants are getting hit this year and the past with rent increases of \$1,128 a year. This figure is based on Canada Mortgage and Housing Corp. He ought to know that, and if he doesn't I have told him today. People who have to move are getting hit often with double and/or triple that amount of money. Some of those people or many of those people are ending up on the street. So I say, and many are saying, that Toronto in 1999 is becoming like the London of Mr. Scrooge.

Minister, stop grabbing money from tenants and giving it to landlords. How and when are you going to start helping tenants?

**Hon Mr Clement:** We're trying to dismantle the failed system that we inherited from the Liberals and the NDP as quickly as we can, and if the honourable member would help us out on that, that would be helpful. That certainly would be helpful, to help the tenants in our society.

I would go back to the record and indicate that under the previous Liberal government we had in this province, rental housing starts fell by 21% and total housing starts declined by 40.5% between 1987 and 1990. Under the NDP, when they failed to act to improve our rental housing situation, rental housing starts plummeted by 74.4%. That's the legacy unfortunately of the failed NDP-Liberal policy. We are trying our best to dismantle that failed policy as quickly as possible. We have made some inroads certainly. As I said, the new Tenant Protection Act has greater protections than we've had before. But certainly any help that the honourable member can give



us to dismantle what didn't work under his regime would be very helpful to this government.

1450

### MENTAL HEALTH SERVICES

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the Minister of Health. This morning, you announced new money for psychiatric and mental health funding. However, no one in my area can fully comprehend the pittance of money that you've put into the London-St Thomas area.

Minister, I was told that 20% of the beds in the St Thomas and London psychiatric hospitals are vacant, yet these hospitals have waiting lists. Over the past two months my staff has been trying to verify this, but the answers from your ministry have been appalling: "I've been directed not to do that." "Communications come from the minister's office." "I'm not supposed to answer that question." "We've lost the information." When I contact your ministry, I get the same runaround.

Minister, why has your staff been engaging in a cover-up? What do you have to hide? How many vacant beds are there in the St Thomas and London psychiatric hospitals, hospitals with waiting lists?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** I was very pleased this morning to make an announcement that builds on the creation of a modern mental health system in the province of Ontario. I announced an additional \$19.1 million. That increases our total on new mental health funding in the province of Ontario for people using services to approximately \$150 million.

As the member opposite knows, we have done an extensive consultation. As a result of the inputs, we are creating a system that focuses on prevention, community services, and of course in-bed patient services. I was very pleased this morning to indicate that as a result of the funding, there would be 140 additional beds made available for forensic, acute and children's mental health. As well, we now have 51 assertive community treatment teams in the province of Ontario. These provide 24-hour support to individuals to allow them to live in their communities.

**Mr Peters:** I would have appreciated an answer to the number of vacant beds in those two hospitals. But today's announcements are a piecemeal solution to a systematic problem. Where are the supportive housing units that patients need as you close down beds? Where is your vision for mental health in this province?

The St Thomas Psychiatric Hospital and London Psychiatric Hospital were originally intended to be closed this year, but right before the election your government announced a reprieve to 2003. You said this was to ensure that adequate community supports were in place. Well, Minister, you announce more money today, you announce that you're going to work towards new community supports, but answer me this: Yesterday the St Thomas hospital was told that their community

kitchen was going to be closed down. This community kitchen is a dictionary definition of what it's all about for community supports. Today you announce that you're investing in community-based programs, but tomorrow your government is shutting one down.

Why are you covering up the empty beds at the hospital and leaving people on waiting lists without good community supports? Why are you breaking your promises? Why are you betraying the patients? Why more and more Tory doubletalk?

**Hon Mrs Witmer:** As I indicated in my remarks, our government actually undertook an extensive review of the mental health system. We've worked with our stakeholders. We've had tremendous appreciation expressed by stakeholders throughout the province. In fact, as a result of the initiatives that we've undertaken, we have had considerable interest and visits from people in communities throughout the entire world who are supporting the progress we have made to ensure that we can relocate people in the community and provide them with the appropriate support.

As the member opposite knows, we did provide \$45 million for supportive housing for the seriously mentally ill, and we will continue to do what is needed to ensure that appropriate funding can be provided to provide the continuum of care that is needed to ensure we have a modern mental health system that responds to the unique needs of individuals throughout Ontario.

This morning's announcement provided additional beds and monies for Ottawa, for Whitby, for Hamilton, for London, for Sarnia. One of the very significant parts of the announcement this morning was new funding and new beds for children's mental health. Those were very well received by the stakeholders this morning.

**The Speaker (Hon Gary Carr):** The time for oral questions is over.

**Mr Peters:** On a point of order, Mr Speaker: Last week, my motives were impugned by the Minister of Citizenship, Culture and Recreation.

On December 7, a letter was sent to the minister's MPP liaison on behalf of a teacher in my constituency. The letter clearly stated that I was acting on behalf of the constituent. Unfortunately, the minister used this letter to impugn my motives. She implied my support for the misappropriation of tax dollars known as My Ontario Millennium Memento. This program is a misallocation of scarce government resources. It is wrong that students who do not have dictionaries should be couriered copies of the—

*Interjections.*

**The Speaker:** Government members will come to order. I'm hearing the point of order. Thank you. Go ahead.

**Mr Peters:** Thank you, Speaker. The minister and her staff knew the true situation—

*Interjections.*

**The Speaker:** Now the opposition, order.

**Mr Peters:** —and took my comments out of context. My motives have been called into question for perform-

ing my job. By requesting these materials, I chose to serve my constituent rather than my self-interest. I wish the minister would do the same.

I would like to read into the record this letter from the teacher:

"Please find enclosed the copies of this waste of money that were delivered to me. I find it offensive that my request was used as a way of defending this boondoggle in the Legislature. The minister should be ashamed of herself. Steve Peters was putting my interest ahead of his self-interest, and I wish that the government would do the same."

**The Speaker:** I listened carefully and it's not a point of order.

#### MEMBER'S QUESTION

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** Mr Speaker, on a point of order: I thought I would not rise again on a point of order, but the leader of the third party persisted in asking questions with regard to the appointment of the Environmental Commissioner earlier today in question period. You rightly pointed out, as I tried to point out, that this is a function of the Legislative Assembly and no minister of the crown, but the leader of the third party persisted and continued to ask questions on the matter.

I'd like you, sir, to rule on whether his question, which in fact eventually got to the Deputy Premier, was in order or not.

**The Speaker (Hon Gary Carr):** I thank the member. I will clarify it. I will be very, very strict. I listened to the question and I think the question that he eventually put was marginal, but he did get around it. As a supplementary he did push it again. I missed the first one from the Leader of the Opposition. I will be very clear in the future. You cannot ask a question that does not relate to his or her portfolio. I will try to listen very carefully. On some occasions, and quite frankly in this case, I didn't know until halfway through the question that they were talking about the Environmental Commissioner.

There will be times when I miss it, and when I do that, I will try and correct the proceedings, because I will make some mistakes. But I want to be very clear, as I tried to be for the leader of the third party. What happens is, it's difficult when a Speaker misses it on one occasion and then the members rightly begin to push the envelope a little bit, but I will be very clear. I will listen very carefully. You cannot ask a question unless it relates to his or her portfolio. This has come up in the past where government members have done it, and I missed it again. I will try to be very careful in listening. One of the problems you've got is when members yelling and screaming, it's very difficult to watch who's yelling and screaming and listen at the same time, but I will try to do that.

I say to the government House leader, I will listen very carefully. You have to ask a question relating to his

or her portfolio, and anything relating to the Legislative Assembly does not fall into that category. I will try to be a little bit quicker in getting up on that.

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** On a point of order, Mr Speaker: The member opposite, I think, has impugned my motives and misrepresented what I said. I would just like to read the letter into the record one more time. This is from a secondary school teacher and it says—

**The Speaker:** That is not a point of order.

*Interjections.*

**The Speaker:** Order. Sit down, please. It's not a point of order.

*Interjections.*

1500

**The Speaker:** Order. What I attempt to do on a point of order is bend over backwards to try and allow the member to make it. If I see any particular member attempting to abuse it, as maybe will come, and if people are taking liberties with my good nature, I will attempt to then shut them down. I try to let the points of order go on and listen very carefully. The problem you have when you do that is that then other side comes back, and that's the situation we're in. I will say very clearly that I've tried to be very good and I bend over backwards on points of order because I treat them very seriously, but I will not get into situations we sometimes do where people are correcting the record.

We've had some occasions when the opposition got up because they didn't like the answer going back and forth. From now on I'll attempt to be very clear and listen to points of order because I treat them very seriously. But if it gets abused, I will have to shut people down a lot quicker. I would appreciate everybody's co-operation on this matter. There is plenty of opportunity in the debates to go back and forth on this issue. I would appreciate it if we would do that in that venue and not as points of order so that we don't keep going back and forth if it's not a point of order.

#### PETITIONS

##### MEDICAL LABORATORIES

**Mr Alvin Curling (Scarborough-Rouge River):** This petition is to the Parliament of Ontario. It reads like this:

"Whereas the Ontario government has recently imposed a retroactive cap on revenue earned by medical laboratories for services provided under the health insurance plan; and

"Whereas the Ontario government has also required these businesses to refund revenue for services rendered in previous years where the amount of that amount revenue exceeds the retroactively imposed cap for those years; and



"Whereas this legislation amounts to expropriation of economic rights without adequate compensation or due process of law; and

"Whereas the greatest incentive to the provision of efficient and quality services and products by the private sector is competition and the ability to make a profit; and

"Whereas the removal of these incentives by government negatively affects all of society and particularly patients in need; and

"Whereas this type of legislation also unfairly discriminates against one sector of the society;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That adequate protection of property rights is needed to ensure that government cannot erode the property rights of certain sectors of society without fair compensation and due process of law."

I will affix my signature to this. I'm in total agreement with it.

#### KARLA HOMOLKA

**Ms Marilyn Mushinski (Scarborough Centre):** To continue the process of submitting petitions to the Legislative Assembly with respect to Karla Homolka, I would like to read the following 400-signature petition.

"To the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I affix my signature to this petition.

#### NORTHERN HEALTH TRAVEL GRANT

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition for the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in their communities."

I'm proud to affix my signature to this petition.

#### SCHOOL CLOSURES

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I have a number of petitions entitled "Save Our High Schools." They're signed by students from high schools in Port Dover, Valley Heights, Waterford and Delhi, and as well are signed by people from those towns and neighbouring towns.

"Whereas several area high schools have been threatened with closure; and

"Whereas the Grand Erie District School Board, the Brant/Haldimand-Norfolk Catholic District School Board and Fanshawe College all have proposals to construct new school buildings in Simcoe; and

"Whereas many viable options and solutions have been proposed and publicly discussed but not enacted;

"We, the undersigned, beseech the province of Ontario to take extraordinary steps to conduct an administrative audit and mediate a solution among the Grand Erie District School Board, the Brant/Haldimand-Norfolk Catholic District School Board, Fanshawe College and other key stakeholders to provide a student-based approach utilizing existing school board and possibly municipal infrastructure."

I agree with this petition and hereby affix my name to it.

## MILLENNIUM MEMENTO

**Mr Rick Bartolucci (Sudbury):** My petition is to the Legislative Assembly of Ontario.

"Whereas the Conservative government carelessly wasted more than \$2.5 million of taxpayers' money on producing the My Ontario Millennium Memento souvenir; and

"Whereas we feel that \$2.5 million would have been better spent on textbooks, computers and curriculum teaching materials which are sorely lacking in Ontario schools today; and

"Whereas students and parents want materials in their classrooms which are not blatantly partisan in nature as is this souvenir; and

"Whereas students and parents are participating in the Return to Sender program by returning thousands of unwanted copies of the millennium souvenir to Mike Harris; and

"Whereas this action by the Conservative government demonstrates their disregard for the priorities of Ontarians; and

"Whereas 500 hard-working Ontario families had to work one full year to pay their provincial income taxes to cover the printing of this misguided project;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to condemn the skewed priorities of the Mike Harris government and demand that Mike Harris issue an apology to the people of Ontario for wasting taxpayers' money."

Of course I affix my signature to this petition.

## KARLA HOMOLKA

**Mr Dan Newman (Scarborough Southwest):** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I have affixed my name to this petition and submit it to you today.

1510

## NORTHERN HEALTH TRAVEL GRANT

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment outside their own communities because of the lack of available services; and

"Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and therefore that financial support should be provided by the Ontario government through the travel grant program; and

"Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

"Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

"Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

"Therefore, we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities."

It signed by another 45 concerned constituents, and I'll affix my signature in full agreement with their concerns.

## MILLENNIUM MEMENTO

**Ms Caroline Di Cocco (Sarnia-Lambton):** This petition is from high school students in my riding.

"To the Legislative Assembly of Ontario:

"Whereas quality education is one of the fundamental necessities of a healthy society; and

"Whereas the quality of education has decreased as millions of dollars in funding have been cut;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the spending of millions of dollars on the My Ontario booklet was a gross misuse of funds, taking into



consideration that almost every classroom in Ontario is in dire need of supplies and updated resources."

I affix my signature to this petition.

#### KARLA HOMOLKA

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Petition to the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore, we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I affix my signature to it.

#### TENANT PROTECTION

**Mr Gerard Kennedy (Parkdale-High Park):** A petition to the Legislative Assembly of Ontario:

"Whereas the Harris government has eliminated tenant protection and removed rent control for vacant apartments;

"Whereas under these conditions landlords have an incentive to force current tenants out of their apartments;

"Whereas the use of the maximum rent provision under Mike Harris has become a form of harassment;

"Whereas rents are increasing to unaffordable levels as a result of maximum rent;

"Whereas some tenants are being forced out of their homes and having to choose between rent and food;

"We, the undersigned, call upon the Ontario government to abolish maximum rent and roll back the increases that have occurred under this provision since this new so-called Tenant Protection Act."

I'm in agreement with the hundreds of petitioners, on behalf of the 3,000 people in my riding who have had rent increases up to 38%.

#### MARRIAGE

**Mr Garfield Dunlop (Simcoe North):** "To the Legislature of Ontario:

"Whereas the majority of Canadians believe that fundamental matters of social policy should be decided by elected members of Parliament and the legislatures, and not the unelected judiciary; and

"Whereas the Supreme Court of Canada in the M. and H. case has rejected biology, tradition and societal norms to redefine the term 'spouse' to include the non-procreative partnerships of homosexual couples, and has effectively granted these relationships 'equivalent-to-married' status; and

"Whereas the court's decision will devalue the institution of marriage, and it is the duty of the Legislature to ensure that marriage, as it has always been known and understood, be preserved and protected;

"We, the undersigned, petition the Legislature to use all possible legislative and administrative measures, including invoking section 33 of the charter (the 'notwithstanding' clause), to preserve and protect the commonly understood, exclusive definitions of 'spouse,' 'marriage' and 'family' in all areas of provincial law."

Mr Speaker, I'll sign my name to that as well.

#### HIGHWAY SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** To the Legislative Assembly of Ontario:

"Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

"Whereas traffic levels on all sections of Highway 401 continue to increase; and

"Whereas Canada's number one trade and travel route was designed in the 1950s for fewer vehicles and lighter trucks; and

"Whereas road funding is almost completely paid through vehicle permit and driver licensing fees; and

"Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to over \$2.7 billion in provincial gas taxes and over \$2.3 billion in federal gas taxes;

"We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with fully paved shoulders and rumble strips; and

"We respectfully request that the Legislative Assembly of Ontario place firm pressure on the federal government to invest its gasoline tax revenue in road safety improvements in Ontario."

It's signed by a number of residents from Chatham, Blenheim, Charing Cross and Ridgetown, and I affix my name to it.

## VISITORS

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** On a point of order, Mr Speaker: In the members' gallery we have the honour of having a couple from St Isidore de Prescott, Mr and Mrs Edouard Leblanc. Edouard and Aline Leblanc were chosen among 460 people to visit the Ontario Legislative Assembly on the occasion of the international year of the seniors. This visit was made possible with the partnership of VIA Rail. I would ask that the members of this assembly welcome them. It is their first visit to the Legislative Assembly.

**The Deputy Speaker (Mr Bert Johnson):** That is not a point of order, but we're pleased to be able to welcome you to our assembly today.

## ORDERS OF THE DAY

## TIME ALLOCATION

**Hon Frank Klees (Minister without Portfolio):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, when Bill 27 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further debate or amendment, and at such time the bill shall be ordered for third reading;

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted; and

That the order for third reading of the bill may then immediately be called; and

That one hour shall be allotted to the third reading stage of the bill after which the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding "Deferred Votes"; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Deputy Speaker (Mr Bert Johnson):** Mr Klees moves government notice of motion 24. Mr Klees.

**Hon Mr Klees:** I believe the order of debate resumes with the Liberal Party.

**The Deputy Speaker:** It wouldn't usually.

The Chair recognizes the member for Wentworth-Burlington.

**Mr Toni Skarica (Wentworth-Burlington):** It's my pleasure to start off the debate on this resolution. As you're aware, one of the provisions of this bill is that people with financial hardship or shortened life expectancy would benefit tremendously from this bill.

All the members in the House have had considerable correspondence for many years from people in that very situation and they are most anxious to see this bill pass as expeditiously as possible. I have an entire file back at the Ministry of Finance of letters from people who are in desperate straits, who are in financial hardship and who have been lobbying and requesting and giving submissions for this very type of legislation for years. Now that we're here, they're quite anxious to have the bill proceed. I hope I'm not being too facetious when I say this, but it would be a very nice Christmas present to many of these people in severe financial hardship.

1520

I've noted that the members opposite have no trouble with the actual bulk of this bill, the Pension Benefits Act. They're holding up the bill because of some reservations they have with the MPPs Pension Act. From the correspondence and communications I've had with the individuals involved, those people would find it quite disillusioning to have this bill held up due to some reservations regarding the MPPs Pension Act.

*Interjection.*

**Mr Skarica:** The member opposite is saying my name in somewhat of an exaggerated manner. I have not had any of those people say, "Maybe you should hold up this bill and make me wait even longer for my financial hardship application."

What the legislation provides is that Ontarians faced with terminal illness would be given access to retirement funds. Individuals faced with severe financial hardship or shortened life expectancy would have easier access to locked-in retirement accounts as a result of this pension legislation. As Minister Ernie Eves indicated, "We have committed in the 1998 budget that this government is taking steps to ensure that Ontarians faced with difficult circumstances are permitted to access locked-in retirement funds."

As I indicated last time when I spoke, my former colleagues, who are not here, Mr Grimmer and Mr Terence Young—very fine members, and we miss them on this side of the House—basically aren't here because of the reduction in politicians in the House. Politicians were reduced from 130 to 103, and they were two of the 27 people who couldn't be here, and not because they weren't fine members. Actually, I'm quite confident that both of them would have been re-elected had we had 130 seats. They have sacrificed their jobs in order to save money for the taxpayer and make our government leaner and more effective and cheaper in the long run for taxpayers.

To go back to this legislation, Mr Eves indicated when the bill was first introduced:

"If passed by the Legislature"—and it's hopeful that this legislation will be passed before Christmas—"this bill and accompanying regulations would permit persons facing considerably shortened life expectancy due to critical illness to withdraw all monies from their pensions or locked-in accounts. Those in financial hardship would apply to the superintendent of financial services of



Ontario to determine whether they meet the necessary criteria to access some or all of their locked-in funds."

This is not a new idea or, to be frank, not even an idea that originates with our government. This is an idea that has already gained favour in other provinces in this country, particularly out west, and has worked very well for people in hardship.

During the recent consultations that were carried on by my colleagues and good friends Mr Young and Mr Grimmett, requests were made repeatedly to them to provide flexibility in pension legislation. One of the organizations that I've spoken to personally is the Canadian Association of Retired Persons, CARP. I spoke to Lillian Morgenthau on a number of occasions and she had this to say about this legislation: "CARP congratulates the Ontario government for adopting our recommendations to do away with the paternalistic policies on locked-in funds. CARP has been working to persuade provincial governments to change the regulations on life income funds since 1997." I did talk to her back in 1997 and she indicated her concerns at that time that many of her members were facing these kinds of hardships and felt very constrained.

As everyone knows, the 1990s have been a time of the bull market and many of the members, when they reached age 80, were forced to buy annuities at a relatively low interest rate, when they could have invested those monies in the stock market and reaped a considerably greater reward.

I remember at that time meeting with her, and she indicated what her concern was. At that time I wasn't the parliamentary assistant to the Minister of Finance, but I met Mr Eves and relayed those concerns. It's obvious that he listened because, after those meetings—and I'm sure other members lobbied him as well, probably not only from the government side but from the opposition side—he then spoke to Mr Young and Mr Grimmett, who were the parliamentary assistants to the Minister of Finance, and they went out and did consultations, including with CARP and, as a result, we have this legislation.

Ms Morgenthau has this to say as well:

"We are very pleased that the proposed legislative changes will provide Ontarians with life income funds with an alternative, so that they will no longer be forced to convert to life annuities and will have more flexible access to withdraw money from them. We trust that the other provinces and territories which have not yet changed their regulations on LIFs—life income funds—will follow Ontario's lead in this matter."

Some of the highlights of this legislation are as follows. Individuals are being provided with more flexibility in determining their annual withdrawals from locked-in retirement savings. The reform package streamlines pension administration and provides for the harmonization of pension rules with other Canadian jurisdictions. It is expected that the regulations regarding shortened life expectancy, the locked-in retirement income fund and the withdrawal of small balances will be

enacted early in the new year. The streamlining and harmonization reforms will be effective on proclamation.

I would like to give details of some of the provisions of the bill.

**Financial hardship:** Funds in locked-in retirement accounts would be available to individuals in cases of serious financial hardship. The individuals would apply to the superintendent of financial services of Ontario, and the application to withdraw funds due to serious financial hardship will be based on specific criteria to be contained in regulation and announced in the new year. In fact, those provisions are wider than exist in some of the other provinces in this country.

**Shortened life expectancy:** Individuals faced with shortened life expectancy due to a critical illness or disability would be entitled to withdraw all monies from their locked-in accounts." That would include LIRAs, LIFs and LRIFs. Application can be made to the financial institution where the account is held. A similar provision will be implemented for persons no longer employed but entitled to benefits from a pension plan.

**Elimination of the required annuity purchase:** A new locked-in retirement income fund would permit retirees to base their withdrawals on their actual investment returns. Unlike the former life income funds, an LRIF would not require individuals to purchase a life annuity. That was a problem, as I said before, when individuals were basically forced to buy an annuity. This was a low interest rate environment, which meant that they had limited returns on that money. In a low interest rate environment, with the stock market booming, obviously it would be a much better investment to invest those in mutual funds or some type of investment that would take some advantage of the bull market that has been raging in North America for almost 20 years now. Retirement monies would be freely transferable among LIRAs until age 69, and among LIFs and LRIFs.

When you pierce through all the terminology, what it really means is that it gives flexibility to people to invest as they see fit. It would give them a free range of how they invest and will allow them to maximize their returns, and ultimately then to maximize the amount of money they can withdraw from their retirement funds. For those who do not withdraw the maximum permitted, the LRIF would also provide the owner with the option to carry forward unused withdrawal room from the current year to future years.

I'd like to deal briefly with locked-in accounts with small balances.

Upon reaching age 55, individuals who have a total of less than 40% (currently \$15,000) of the year's maximum pensionable earnings—it's called YMPE and it's a formula that's used under the Canada pension plan—would be able to take this money in their locked-in accounts and they may unlock the entire amount if the amount is small enough.

1530

What is the applicability of federal investment rules? Ontario is harmonizing its pension investment standards

by adopting the federal investment rules. I might indicate that I reviewed the consultations by Mr Young and Mr Grimmett, and financial institution after financial institution indicated that a great difficulty for them was the cost of administration where every province has different rules and different ways of doing things. For them, that meant a lot of duplication and a lot of work that really is not necessary.

Ontario has looked at the other provinces and asked: How can we harmonize the rules so that what we do makes sense and, at the same time, cuts duplication for the variety of institutions involved in the pension business? Virtually all those institutions were quite ecstatic and quite happy with the prospect of harmonizing the rules. I anticipate they'll be very happy with this legislation.

Briefly then, what does harmonizing mean? The harmonizing initiative would update investment regulations to reflect the realities of the current marketplace, including the development of new financial products and administrative procedures. As well as Ontario, the four western provinces have adopted the same investment standards, so that we now have five provinces using the same rules.

Just a couple more details about the streamlining of pension administration: A number of reforms in the bill will be implemented to streamline and simplify pension administration. These reforms, as I indicated, respond to the submissions Mr Young and Mr Grimmett received in consultations in 1999. The Financial Services Commission of Ontario, FSCO, will provide details of these streamlining reforms through their Internet Web site and through the Pension Bulletin early in the new year.

#### *Interjection.*

**Mr Skarica:** I agree with the opposition that it's all pretty good stuff.

I'd just like to go into some details of the Pension Benefits Act and then briefly touch on the MPPs Pension Act, as I'm sure the opposition wants me to do. Currently, a pension plan is not eligible for registration under the Pension Benefits Act unless it is administered by a person who is described in a list in section 8 of the act. An amendment to that subsection expands the list of persons to include one or more employers, where there are multiple employers, and an administrator appointed by the Superintendent of Financial Services under section 71 of the act.

Currently, the administrator of a pension plan is required to apply to register it within 60 days after the plan is established. Section 9 of the act is amended to require that the application be made within a set period specified in the regulations.

Under subsection 29(1) of the act, the administrator of a pension plan is required to make certain documents and information about the plan available for inspection by the persons listed in the subsection. An amendment expands that list of persons to include an employer, a person who makes contributions on behalf of an employer, the agent of either and such other persons as specified in the regulations.

Section 42 of the act permits the transfer of the commuted value of a former member's deferred pension into a prescribed retirement savings arrangement. An amendment to that section addresses the situation that arises when the commuted value is greater than the amount the former member is permitted under the Income Tax Act. This permits a transfer into the prescribed retirement savings arrangement. Under the amendment, the amount in excess of the maximum permitted under that act shall be paid as a lump sum to the former member.

There is a variety of other sections, but I don't think I need to go through them now. The point of these sections is to streamline and harmonize the pension plan with other legislation in the country. The end result will be that administering pension plans through financial institutions throughout Ontario will be a lot cheaper and a lot easier. By harmonizing with the four western provinces, you'll have five provinces. I'm not sure what that means in total pension monies, but it's probably pretty substantial—60% or 70% of the pension monies in the country are now under a streamlined arrangement.

How is the MPPs Pension Act, 1996, affected?

When it was enacted, the MPPs Pension Act, 1996, required the transfer of the commuted value of each MPP's pension benefit for the period before June 8, 1995, to a locked-in retirement account. Under section 21 of the act, the account had to meet the requirements of the Pension Benefits Act. In addition, the act specified that payments could not be paid from the account to an individual until the applicable MPP ceased to be a member of the assembly or reached 55 years of age, whichever was the later. Amendments to section 21 of the act eliminate the requirement for the locked-in retirement account to comply with the requirements of the Pension Benefits Act.

The terms of a locked-in retirement account that was established before the bill is passed shall be amended at the request of the account holder to remove restrictions on withdrawals from the account and to remove other restrictions that were imposed to comply with the Pension Benefits Act, such as requirements relating to the payment of death benefits and joint and survivor pension benefits. However, the bill specifies two restrictions with respect to these amendments: a member's locked-in retirement account must comply with the requirements of the Income Tax Act (Canada)—which is contrary to what was said by one of the Liberal members the other day—and an individual may make withdrawals from the account only after he or she ceases to be an MPP or reaches the age of 55, whichever is the later.

The amendments may be made only with the prior written consent of the spouse or same-sex partner of the account holder. These conditions also apply to a life income fund, as described in regulations under the Pension Benefits Act, that was established pursuant to a locked-in retirement account entered into before the amendments came into force.



Currently, subsection 27(2) of the act specifies that the amount in a member's money purchase account when he or she ceases to be an MPP can be used to purchase his or her pension. An amendment provides, instead, that the amount that can be used to purchase the pension is the amount in the account when the pension was purchased.

Basically the bottom line of the legislation is that it provides long-sought-after streamlining of pension regulations. As I've indicated, I've reviewed the pretty extensive consultations that were conducted by Mr Grimmert and Mr Young. Financial institution after financial institution was quite enthusiastic and quite desirous of these changes. It will result in substantial administrative savings to those institutions. The result, then, is that will mean that the people who hold the pension benefits or are entitled to the pension benefits will in fact get extra monies out of the account that heretofore, before this legislation, have gone to administration.

As well, all the MPPs in this House know and have had contact with numerous individuals in Ontario who are in financial straits, who are in difficulty and who have shortened life expectancy and have severe financial hardship. I know of one situation where a person is about to lose their house, has enough monies in their pension to easily pay off their mortgage but can't access it under the current rules. Once that is changed, that person then will be able to access that and it will solve his problem of losing his house, which is a very significant problem, I'm sure everyone would agree.

In total this legislation is a good news story and provides changes that have been long sought after by both financial institutions and members of the general public who are suffering financial hardship. I know those individuals are quite anxious to have this legislation passed and this motion will get them along that way.

Thank you, Mr Speaker, for allowing me to participate in this debate.

**Mrs Sandra Papatello (Windsor West):** I am happy to speak today. We are on a time allocation motion, which allows us to potentially deviate and discuss the whole issue of allocation motions and the time allowed for debate. I think we ought to use time in the House to debate issues that are of real relevance on the ground in all of our home ridings. To that extent I want to tell you a story about something that happened in my riding. I hope that all the members of this House might take the time after the House rises over the holidays and in the first quarter of the new year to find out if there are issues such as this in their own home ridings.

I had become aware only in the last couple of months, in speaking with teachers, with guidance counsellors, with vice-principals of high schools, of stories that there was a very alarming trend happening in our schools, and that alarming trend has to do with what the attendance officers in schools were seeing, and that is, very good students, A students, great athletes, young people who were already renowned as being quite excellent, suddenly starting to miss a lot of school, in particular on Mondays

and Tuesdays, and sometimes Fridays. They started to look at what was happening in the school system and realized that we have an awful lot of very young people getting involved in drugs.

1540

When we started hearing these stories anecdotally, we decided that we ought to find out if this is just anecdotal, just talk, always the same story repeated and repeated. So we had a meeting in my riding a couple of weeks ago, and included in that meeting were guidance counsellors, vice-principals, the RCMP was represented, the Windsor police was represented, and we asked them some very pointed questions: Are these just stories we're hearing or is there really something going on with our youngsters? When I say "young people," I mean kids of the age of our pages, 12, 13, 14, 15, 16—very young people. I guess every generation has had its drug problems, but what is so startling to the police, to the RCMP, is the age at which these young people today are getting involved. They're talking specifically about a drug like ecstasy. There are others on the market and available in the underground, but particularly this one named ecstasy keeps coming up.

So we had this meeting, and I can tell you that the information that was presented to us was alarming. It was shocking. Guidance counsellors were telling us what they're dealing with. They're sending kids to the hospital because they're dehydrated, they're sick. Their parents aren't aware of what they're doing. The whole purpose of raising this today is that all of us are going to go home soon. Maybe we can talk to those in our ridings who have kids in that age group and start asking some real questions and find out what is happening in these kids' lives these days.

It was so alarming that we started asking more questions: How is this drug so available? How are the kids paying for it? The truth is that a drug like ecstasy is available very easily. It led us to talk about rave clubs, after-hours clubs, these things that may or may not have been there when I was that age but I certainly wasn't aware of them, to the point where that same evening, after we were all done our duties, as the local MPP I headed off to an after-hours club, a rave club in my own hometown to see what that was going to be like. You need to know where they are in order to find them, because there's no huge sign over the door. It's just a big, grey, nondescript door with no sign on it.

When we pulled up it was 1 o'clock in the morning. Not that many decades ago at that hour the bars were clearing out, but in this case the people were pouring in, specifically very young people. What I had heard from the guidance counsellors, the teachers, the vice-principal is that parents are often dropping their kids off at these places because, they say: "This place doesn't have a liquor licence, so it's safe. Kids won't be drinking and they'll be OK." They're actually taking their kids there. Of course, the bus service doesn't run at that hour of the morning, so the kids are now there with no ride. These are clubs that are open; they don't open until 11 at night

and they stay open until 7 in the morning. Those are the actual hours of the club, and it's a legitimate business. They have a business permit to be there. This club is meeting, as far as I know, all the fire code regulations from the fire marshal's office.

We went in there, a girlfriend and I, looking like mothers in search of their children, quite frankly. We did not fit into this environment. But the door opened and this smoke came billowing out of this doorway, and we went in. It was dark. As soon as you go in the door, you go downstairs and you pay. In fact, we paid 10 bucks. For \$10, I got this neon-coloured band. This allowed me entry into this place, a very legitimate business, so off we went.

We had to go downstairs, but the stairs were all black because they were painted black. There were no lights in this place. Everything was black. The walls were painted black, the floor was painted black, the ceilings were painted black, and there were no lights on. The only light that was visible in the room was from this techno music station that was playing techno music, which is all synthesized, a very fast pace etc.

#### *Interjection.*

**Mrs Pupatello:** You're nodding your head. You probably listen to that on the way into Queen's Park. In any event, it's loud. A lot of bass. You can feel everything rumbling, you can feel your heart pounding in this place and you can't see anything. That's the point.

Smoke was filling this room because all of these kids were smoking. The only light available was these laser beams that were being shot across the room. Kids had these hand units of lasers so that as they would dance, this light would be flashing all over the room. You could see who the kids were because some of them were wearing white. Because of the neon light in there, the white was standing out.

These are not kids who are coming with no money. They have lots of money because they are all dressed in these skater-style outfits. "Skaters" is the term they use for all the baggy-pants styles. I'm not talking a 20-buck pair of jeans here; we're talking high-end, Tommy Hilfiger. It's not just any ordinary white T-shirt or strapped T-shirt on these young girls; we're talking Club Monaco. It's a lot of money to dress these kids in these clothes. These are very big cars that are dropping these kids off to this club, with the notion that it's actually a safe place to send their kids.

We could not believe what we were seeing. Everything we had heard in the morning at this meeting with the RCMP and the police was exactly there before our eyes. The place was filled. There were probably 200 kids there, and what we were told at the time was, "This is still early." We only stayed there for one hour, but in that hour, I can tell you, it just was not what I remember parties or anything to be when were that age. This is a very different era now and one that is very dangerous, and I think parents need to understand what is happening with some of their kids.

What we did see is that within the first 20 minutes of our arrival we were actually offered the drug ecstasy. We asked, "What are all these kids doing here?" The inside of the club was lined with sofas. It wasn't tables and chairs like you might think there would be in a club. There was nowhere to sit down except on sofas. Ecstasy, also known as the hug drug, the love drug, the hug drug of the '60s, whatever they're calling it these days, apparently they're all on this drug, and when we asked them about it, they all agreed, "Yes, we're all on this drug." It has a very uninhibiting reaction, so it makes people feel very free, very wonderful, and that was evident, because there were seven or eight kids thrown together on these sofas that lined the room, just on top of each other.

One young woman who looked to be about 15 years old, for the 30 minutes that I watched her, did not move. She sat with her hands in her lap, stared straight ahead, not looking at anyone in particular, didn't lift a finger, an arm, move her head at all. She was completely stoned. All we could think of was what kind of danger this young woman was going to be in.

Whatever effect this particular drug has, this place obviously knows. Apparently you dehydrate because of it. You're not aware that you're tired, that you're dancing all night and that you have to take liquids etc, so what the teachers see in the high schools in terms of them being sick is kids dehydrated. The answer was a \$3 bottle of water. You could buy juice and you could buy water at a cost of three bucks. The kids are paying the \$10 to get in, three bucks for a small bottle of water or a small bottle of juice, and that's all that's available there.

As we were leaving at 2 o'clock in the morning, the kids were still just pouring in. Some of them were driving, so they would be at least 17 years old, but most of the kids were younger than that, kids who over the Christmas holidays you're going to have around your table. I think you need to ask them questions about who their friends are, where they're going, what they're doing. There are cases in my own community where the parents are dropping the kids off and heading over to the casino, which is another 24-hour operation, assuming that their kids are fine.

The effect of an ecstasy pill is at least six hours. So we were there, and it didn't take very long for someone to ask my friend to dance, and off she went into the abyss, under the smoke. You could barely see the people. While they were talking, he was more than forthcoming that he could get us these drugs and about how much they were, \$30 or \$35 a pill. Within the next five minutes there he was offering us these pills and looking for the money.

#### **1550**

The truth is that many of these kids, because they are now on ecstasy, which is very addictive, start to sell it so they can make the money in order to buy it, and it's a vicious cycle. In our history, when heroin was the big thing, these drug dealers would just flood the market and get all these young people hooked on these drugs, so they were just creating their own market for it. That's what I



suspect has happened. It's a trend that to me has become apparent only in the last several months. According to the police and the RCMP, although it's new, it's only new in that this is now the drug that's being used, but the amounts are startling. Apparently it's a drug that was initiated somewhere in Amsterdam and is now arriving in Canada. With the target market being those young teens, I think we all have cause to worry.

I guess with my own visit there, I had to admit it was happening. It's not just something we're hearing about or some story. I have to tell you that guidance counsellors in our high schools are alarmed. The worst part about it is that they don't see that any of the parents are taking stock of how serious this situation is.

I wanted to tell you about the drug; parents should note specifically about the drug. It takes the form of pills. They're usually white pills, and it says that there are scores of different types. According to some sources, there at least six new designs that are produced every month—

**The Deputy Speaker:** Order. I've been listening carefully to the member and I agree that it is a very serious concern, so I'm waiting for you to bring it within the terms of the bill or the motion that we're discussing this afternoon.

**Mrs Pupatello:** Thank you, Speaker. I will get to that.

The pills are called "Dennis the Menace," "white doves." In some cases they stamp the pills with things like Fred Flintstone, like they do with the vitamins, etc; all of these things to appeal to a very young generation, and they think it's cute. The truth is, for 30 or 35 bucks, these pills are available freely.

I know the minister is on the record in terms of the shutdown of rave clubs. According to the police, the experts who deal with this every day, that is the access point for some of these kids to access the drugs. Shutting them down is probably just going to push it somewhere else, because the truth is these kids are addicted and they're going to find the drugs somewhere.

I guess to my mind, the one thing we have to do as responsible parliamentarians is to acknowledge that there is an issue potentially in our riding. What role are we going to play in making sure that parents are informed of what this latest trend is?

They say they take ecstasy because it's got a reputation for producing a feeling of expansive well-being in the user. It creates a high that stops the user feeling tired and gives them the ability to rave all night. There are often physical changes. I guess it's because the effect is to neurotransmitters called serotonins that control hunger, fatigue, depression. So once these kids are addicted to this, the effect on them is that they don't feel what is truly happening with their bodies. There are many, many reports of young women getting into very serious trouble. Young women have been raped. Young women have died. Because it's a drug, we don't know what's in it. We don't know where it's coming from. We don't know whether serious contaminants have been placed in these pills. There is a notion, somehow, among young people

that ecstasy is safe. The truth is it's not safe. They can be laced with any kind of thing and they'll never know, and young people have died from having ingested it.

I have to tell you that as we went through looking for material, it was surprising to see exactly what's available on the market in terms of information. There are some people out there that produce books like this one, *The Complete Book of Ecstasy*. We don't know where it comes from except that it's a complete chemist-based information book on how it should be produced. If you go onto the Internet, you can find sites that are pretty clearly entitled "designer drugs": lots of information, a lot of references. In and of themselves, the components that make ecstasy are not illegal. It's the combination of when it's put together and how it's put together that makes the drug powerful and very illegal. There are lots of things once you start looking, books like *How to Make Your Own Drugs*. I mean, this is scary stuff.

I think our young people today are much more in the know. They have information widely available to them like we never did. Most kids, especially these bright young kids that the guidance counsellors are now talking about—it's not that group that you thought probably is into drugs. They're very good students. They are A students. They're athletes. They cannot believe the group that is now involved in drugs. I think all of us have to be aware of that.

I think there's a significant thing each one of us as MPPs in our own ridings can do. We've got to take stock of how we get information to parents, what organizations exist in our communities and what they should be doing? My community has a whole host of organizations that do very good work. It just hasn't been obviously able to get through to parents on what's new today in the marketplace.

I wanted to tell parents that as you sit down over the holidays and take stock of family matters, which always happens at Christmastime, look for clues. I was provided with this. You should be looking for physical changes in your kid like weight loss, red eyes, having trouble talking or walking, having difficulty sleeping, changes in mood. Your teen may be less caring and less involved at home, cranky, more difficult to get along with, moody, secretive and uncooperative, withdrawn or depressed.

You should be looking for things in your house or that have been hidden, like cigarette papers for rolling joints, roach clips for smoking pot, hash pipes, glass water pipes, syringes for injecting drugs, small scales that they might use to weigh drugs, pills, powder or any other substance that you can't identify.

Things that kids will use to cover up drug use might include eye drops to reduce redness in their eyes, mouthwash to cover up breath odours, or incense to cover up the smell of smoking drugs like pot or hash.

You'll note changes in behaviour, which might be the most obvious. Call up the school your kid goes to and ask them: "Are there any changes in my kid's behaviour at school? Are they missing any classes that I'm not aware of? Are they there every Monday and Tuesday?"

Apparently the trend is that they're partying at these rave clubs all weekend, with parents knowing or supposedly thinking they're in a safe place, and then they crash come Monday and Tuesday and they're violently ill. So guidance counsellors and vice-principals are finding them throwing up in the bathrooms at school, passing out from fatigue, totally dehydrated, and they end up in a hospital for that 24-hour or 48-hour assessment.

Then we get into the whole issue of drug treatment program availability when it's needed, which is severely lacking right across the province; changes in behaviour like skipping class at school, getting lower grades than they used to, some significant marked change in how this kid is doing in school; needing more money—suddenly you may have money missing at home or in your own purse or your wallet, but this student now needs more money; losing his or her job; changing friends, and you don't know who your kid's friends are any more; having trouble concentrating or paying attention; spending more time in his or her room, which would be unusual, or spending much more time away from home; and a great big change in interests or hobbies. All of these things are considered clues that something very significant is happening in your son's or daughter's life.

What I'm hoping will happen in my own community at the beginning of the year is that just by talking about it today I'll hear from people in my own riding, parents potentially who are prepared to come forward and join a group that's prepared to do some work. In discussions with the RCMP, with Alex Mills, with our Windsor police, Danny Woods, with these people who work in this field every day, they say as a consensus that parent involvement is critical as a role they play in their teenagers' lives. I don't mean 17, 18, 19; I mean ratchet down that age, because these kids are young: 11, 12, 13, 14. What is so alarming is that the kids being affected are so young. The best thing we can do is ensure that parents are informed and that we take time so that parents will know exactly what to look for in order to help their children.

Speaker, thank you for your indulgence.

**The Deputy Speaker:** Further debate? The Chair recognizes the member for Northumberland.

**Mr Doug Galt (Northumberland):** Thank you very much, Mr Speaker, for the opportunity to say a few words on the time allocation motion as it relates to Bill 27, the Pension Benefits Statute Law Amendment Act.

It's kind of interesting, listening to some of the criticisms we've heard over bringing forth a time allocation motion. Since we're debating that particular aspect, the time allocation, I'd like to bring a few points forward.

I keep hearing the opposition saying that the government is moving too fast; they say the government isn't giving them enough time to talk and to debate the particular time allocation motion.

1600

The kind of things that I hear around this province, particularly coming from small business—and I think we should hesitate for a moment when we mention small

business. That's where 80% of the new jobs are coming from in Ontario and special recognition should be made of what they do for us in this province. When you talk about 80% of the jobs, just in the month of November we've gone from a 6% unemployment rate down to 5.6% in Ontario, a very significant move. This is the lowest unemployment rate since June 1990. The jobless rate has been steadily coming down since we took office.

Just to add to that, the youth jobless rate has declined from 12.7% to 12.1%, the kind of figures that are just music to my ears. It's interesting to note also that since September 1995 we have created—I shouldn't say we've created—we have set the stage, so to speak, with reduction in regulations, with tax cuts, so that small business, along with other larger organizations, were able to create some 608,000 net new jobs.

If you compare the unemployment rate of Ontario with that of Canada, Canada dropped from 7.2% to 6.9% at the same time Ontario dropped from 6% to 5.6%. Certainly it's Ontario that is leading. There's absolutely no question. You can look at all kinds of headlines. I think the one that's particularly exciting came from the Liberal Toronto Star back on November 10, "Economy Booms for First Time in Decade," and the subheading, "Growth Powered by Ontario Will Outstrip United States."

I hear the opposition going on about how we're riding on the coattails of the US when in fact, how can you be riding on the coattails when you're out in front leading? Maybe, just maybe, one of the members of the opposition could explain to me how they keep talking about riding on the coattails of the American economy when we're out there as a province—as a matter of fact, we're leading all the G7 countries, the economic development countries in the world, leading the American states, leading all the provinces, going from being in last place in the economy some four and a half years ago to being first. Going from last to first certainly has to be quite an accomplishment. That's what small business is helping us do in this province. As we set the tax structures, as we get rid of some of the red tape, they're able to go ahead, creating some 80% of the jobs in this country.

What are those small businesses saying to us? They're saying government moves too slow. Yet the opposition says we move too fast. I think the people we need to listen to are the small businesses, the ones creating the jobs. We're moving too slow and we need to move on, especially when you look at the amount of debate that occurs and the days of debate that we have. Small business wants government to make decisions, get on with life. Don't talk about it, don't diddle around. Get on and move ahead.

They also want accountability, whether it's in the environment, whether it's in education. Regardless of where it is, they're looking for accountability. I can tell you that if accountability has been brought in, it has been in the field of education, everything from setting standards to new curriculum; also setting standards for



teachers and the testing of teachers, the testing of students. It's all there for accountability.

There's no question that it's government's responsibility to lead and it's also government's responsibility to see that there is extensive consultation carried out, both before bringing in bills as well as once bills are brought in.

Last time when I spoke on a time allocation motion, on December 8, on page 1255 in Hansard, you'll find many of the points that I was comparing: the 34th government with the 35th government, with the 36th government. You'll find in there that in the first session all the Liberals spent was seven minutes on third readings, on an average. That's absolutely shameful and maybe that's why they ended up losing to the NDP. There was a lack of adequate consultation being carried out during that period, particularly when there was that unholy alliance of the NDP and Liberals together. You see it here in the House regularly when they join together in opposition to this government.

I mentioned government's responsibility when it comes to time allocation. There's also a role that the opposition has and that is to oppose, and it's unfortunate they do it so poorly. I was talking yesterday afternoon about the kind of leadership that the official opposition has, especially as it relates to the restructuring bill that's before us, Bill 25, the Fewer Municipal Politicians Act, and walked through the kind of questions that we were getting from the Leader of the Opposition. They are nothing questions. I feel sorry for the backbenchers in that party when they have that kind of lack of leadership, that kind of indecision. Unfortunately, it's just no decision. It's constantly waffling. It's flip-flopping and really going no place.

They talk about wanting to debate. They would debate and they would talk until the cows come home and still never get around to making a decision. Consequently it is important, to get on with legislation, that we do bring in time allocation motions such as this.

It's the role of the opposition to question what government is doing and to come up with alternative suggestions and directions. I'm still waiting for the first sound alternative suggestion of what we should be doing to come forward from the official opposition. We hear lots from the third party and they're sound ideas for a socialist government. I respect their direction. I don't agree with it, but if the official opposition could just come forward with some ideas.

It's important that the public out there be aware of—and I think the opposition should be too, but they understand it—what really occurs before a time allocation motion happens. All kind of consultation goes on before a bill comes before this House, particularly with this government, particularly in the 36th Parliament. We went out and consulted with various groups across this province, whether it was on car insurance—you know, look at what happened because of the extensive consultation on car insurance.

How many in the opposition are hearing complaints about car insurance today? I can tell you in the late 1980s when that bill came through on car insurance, MPPs' phones lit up over the problems with car insurance. Then the NDP was going to do something better. They didn't do exactly what they committed to and promised in their platform, and members such as the member for Welland-Thorold were extremely upset with the party at that time, because they didn't take out a government insurance program. I wouldn't agree with government running auto insurance, but that was their commitment, something that they didn't follow through on.

But coming back to consultations, car insurance was a good one. The right-to-farm legislation is another example of going out and consulting long before moving ahead with any kind of legislation—letters that ministers receive, questions and concerns that come from the opposition. Then there's first reading and then there's second reading, with extensive debate, in this case three days of debate, and here's another day of debate on this pension reform. Also, there are negotiations with the House leaders as to which bills should be coming forward and which ones shouldn't. Then, of course, on any bill there's the opportunity, negotiated by the House leaders, whether or not there should be committee hearings, where they should or should not be going. Then there's the third reading, more debate, and in this case we're talking about Bill 27, the pension reform.

Again, it's just an excellent bill coming before the House, one which I can enthusiastically support, in particular the time allocation motion. Extensive debate has been carried out, and I think it's time to put that vote, as we will be later this afternoon. I appreciate the opportunity for the 10 minutes to address this time allocation motion.

1610

**Mr James J. Bradley (St Catharines):** It's unfortunate that I have to speak again on what we call a time allocation motion, which is a motion that chokes off and terminates debate in this Legislature on yet another government bill. It has become routine in this Legislature now for the Harris government, on virtually every bill of any controversy at all, to shut down the debate on that bill and not allow it to carry on to such an extent that most members who want to speak are able to do so and that all the issues can be canvassed. That unfortunately happens on most pieces of legislation these days.

I've mentioned in this House before that the Legislature is becoming increasingly irrelevant. I think that the people who should be alarmed are all the people in the province, not simply Liberals or New Democrats who are in opposition here but Conservatives as well, Conservatives of goodwill who look at the Legislature the way it operates today and compare it, for instance, to 10 or 15 years ago.

I remember that I was talking the other day with a former Conservative cabinet minister. It was a confidential conversation so I'm not going to reveal it in the House, but it was interesting that many of our notes that

we compared were the same: our observations of (a) the kind of debate we see in the assembly today, and (b) that the haste with which government moves to push its legislation through is something to behold. As I say, it was an individual for whom I have a good deal of respect from a previous Conservative administration.

I think it's most unfortunate that this is happening, but it's happened on somewhat of an incremental basis, and all the blame cannot be attributed to one party or one government. It's a trend which unfortunately, in many venues, continues to be extended because of governments, out of convenience, wanting to push their legislation through.

This is the pattern that's developing with governments. It's a concentration of power in the hands of the Premier or Prime Minister, depending on where you are in a jurisdiction. In other words, the control is in the centre. There's a book out now called *Governing from the Centre*, which deals with this particular phenomenon; it's no longer a phenomenon because it's quite common in many jurisdictions.

It almost brings one to the conclusion—and this is very difficult for those of us who have grown up in the British parliamentary system. It almost makes one look with some envy on the congressional system, where at least there's a balancing of powers. The member for Etobicoke North nods that there are some virtues to that system, where he and I would then perhaps be able to exert more influence than we can today because of the positions we might hold, as committee Chair or some other position. There is an independence. They have to win over the vote of the individual as opposed to simply declaring—the whip being the all-powerful person in each of our parties—how the party is going to vote and the others fall into line.

I see this concentration of power in the executive wing of government as being detrimental. It's not that they shouldn't have some power, they should, but it's far too much power. Second, I see governments wanting to meet—the Legislature or the House of Commons—far less frequently and for not as long a period of time. This is because governments do not like being accountable. I can tell you that because I sat on the government side. I can't think of a cabinet minister who wanted the House in session because, of course, it's a very trying time. It's a time when you are held accountable in a very public sense in a very wonderful institution we have here called question period. That's something the congressional system does not have, and governments do not want to face that.

What is happening now is that the Legislature is sitting far less frequently. Until we came back very late in the fall this year, the House had sat for seven or eight days before the House was dissolved for an election. It did not sit in January, did not sit in February, did not sit in March; I think it might have sat right near the end of April and the first part of May; then we went into an election campaign. Instead of the government bringing the House back, as one might expect with a re-elected

government as opposed to a brand new government, the government decided not to come back till very late October, and then on a Thursday afternoon because the wise people who advise them—I used to call them the whiz kids with some enthusiasm previously—said, "If you have the speech from the throne on Thursday, we can spin it all weekend as our story." So the House is back even later than it might normally be.

Then the government brought in legislation, much of which is controversial, near the end of the session. When Ernie Eves, my friend from Parry Sound, was the House leader for one of the opposition parties, the Conservative Party, he insisted on a rule, and I thought it was a good rule, which said that no government should be able to bring in legislation in the last two weeks and have that legislation processed. They could introduce a bill, but they could not proceed through the various stages of that bill in the last two weeks. I think that was a good measure. It was wiped out by Mike Harris's dictation of brand new procedural rules for this House a couple of years ago.

There was a previous effort at this by the New Democratic Party in June 1993, when much of the power was reduced for the opposition. The ability to what we call filibuster or hold the government to account or slow the government down was severely restricted. I have some good quotes, which I don't have with me today, from my friend Norm Sterling, now the government House leader, and Mr Eves, the Treasurer and Deputy Premier of this province, who both made a compelling case in opposition—I think sincerely—for the ability of opposition parties to hold up government business when they felt it was important to do so.

Some bills are pretty non-controversial and tend to go through this House quickly, in an afternoon, perhaps even on a nod when it's a very non-controversial bill. Other bills require more debate. While we're not discussing it now, I think of the restructuring bill that is before the House. I can foresee the government bringing in time allocation. I can see that a very important bill, which will have ramifications across the province. Those of us who have a vested interest in it, and I think that's all members, the most we will have by the time we get to a certain stage of the bill is 10 minutes to canvass a number of very important issues within that bill.

What we've seen is an erosion of the power of this House. We are the only people who are accountable out there. We are the elected people, the representatives. We go back to our ridings and the people speak to us on a face-to-face basis. They don't hesitate to come up to any one of us and tell us what they think about what's going on, or to write us a letter or make a telephone call. It's really hard to get back to everybody you'd like to get back to, but you have heard or read what they have to say. Unfortunately, the people in the Premier's office who advise the Premier, or the advisers to ministers or the civil servants, don't have that same accountability. There may be some good people there—I think there are—but they don't have the same accountability that we



have. At the conclusion of a term or whenever an election is called, all of our jobs are on the line. That's not necessarily so with others who are in various unelected positions in government.

We see the government moving more and more towards fewer days of sittings and less accountability. One of the tricks they use—I know the whiz kids thought this was very cute—is to say, “We'll have afternoon and evening sessions.” I'm not opposed to that, I don't think it's necessarily a bad thing to have an afternoon and an evening session, but they count it as two separate days for the sake of debate. That tends to militate in favour of the government implementing its closure motions closing off debate much earlier.

I understand, though I would like to challenge this with the Speaker—I don't know how successful I'd be; probably not successful—that as a result of the changes, the Speaker has virtually no power now. Mr Speaker, I would like in this debate, for instance, to be able to appeal to your sense of fairness, to your sense of how the debate has drawn out in the House, whether you think it's too long, whether you think it's short or not. I'd like to see that, because you are an individually elected member who knows something about fairness. I can't appeal to you now. I understand that under the new rules the government brought in, the time allocation motion, the closure motion, is strictly in the hands of the minister who wants it, through the government whip or the government House leader—simply lay down the law. I can't go and say, “The member for Perth-Middlesex, who I know is an individually elected person, may feel that because of the ramifications of a piece of legislation, there should perhaps be a couple of days more debate.” It's my understanding that you don't have that in your hands any more. You simply have to comply with the new rules, which say that the minister dictates how much debate there should be. That's not good for democracy, and that's where governments themselves fall down.

1620

Bill 26 was a prime example of that, of how the government tried to bring in legislation right at the end of a session when this government was first elected. Bill 26 was the bully bill, as we called it, that mammoth bill that changed some 47 pieces of legislation, altered and threw some of them out and changed some of them, a very important piece of legislation. Frankly, some of the provisions of Bill 26 have been extended. I think the Minister of Agriculture has a copy of that bill. They gave tremendous powers to the inner circle of the cabinet.

It is said now, I think with some justification, that even within the cabinet there are a lot of people who don't have power. Essentially it's a core of people, the inner cabinet, if you will, that really dictates what goes on, so you can't even blame individual cabinet ministers when something happens that may be detrimental to the province.

What is happening, which is very frightening and to a large extent frustrating—I see the member for Dufferin-Peel in the House now. He has been here since 1990 and

would understand these issues well, having been a person who was interested in the Speakership of the House and who knows the rules well. He utilized them to great effect as a member of the opposition. I thought he was an effective opposition person. But the rules were there to be able to slow government down, to make government pause. Now there is virtually no such thing as an amendment to legislation unless the government brings it in. Even then the government will not go into committee of the whole for fear that somehow they might be in for a prolonged period of time, although they've changed the rules so that what happened in the federal House of Commons with the Reform Party and several amendments being proposed there can no longer happen here.

In committee there is virtually no opportunity to move amendments. The government doesn't want to go to committee and it doesn't want to have public hearings. And that's what is good for the democratic process: If at the end of the day the government prevails, as they probably will with a majority, I think what people would like to know is that they've had their day in court, that they've had an opportunity to put forward to the minister of whatever it happens to be—in this case, the Minister of Mines and Northern Development is here today. If it were a piece of legislation that affected his portfolio, they would like to know that at least they had a chance to go out and have hearings and say, “This is what we think.” The minister and the government may not accept that, or they may say: “Look, you've got a good suggestion. Why don't we try that?” That's lost now. You just don't see that happening any more.

There is this fear that somehow if you accept something from somebody who is opposed to the government or outside of the government circle, somehow you're admitting that you're wrong. Listen, there is a lot of virtue to all of us admitting it when we believe we have been wrong in a particular instance. I can't say that with everything I've said in this House, upon reflection 10 years or 10 days later, I might not have a different opinion, having heard other members in the House or having heard from the public a different point of view. That's the virtue of it and what we're losing here is our democracy with that. I would like to hear from the people of Peterborough or the people of Scarborough or the people of Etobicoke about pieces of legislation. I may not agree with some of the members, but I think it's important that we have that.

As a committee Chair, I was reminded the other day, as were all committee Chairs, that we are to be neutral and non-partisan in terms of our job with that committee. We can comment in other committees but not in that committee. I think what we share in a committee, secretly perhaps in some cases, is the fact that, wouldn't it be nice to be able to have a committee work together? Wouldn't it be nice to be able to check our partisan hats at the door and come forward with something we believe to be of virtue for the government to proceed with? I think that's how committees could work well.

I'm not saying it was perfect in years gone by, but at one time, particularly under minority government, we saw a lot of good work done by committees. There are two reasons. First, the government must be responsive to the opposition, but second and equally important, the opposition must be responsible on that occasion because the opposition is sharing, if you will, partly in the governing of the province. There's a lot of sober second thought with opposition members and a lot more responsiveness with government members in a minority situation.

I remember, when the Family Law Reform Act was coming in in 1977, sitting down with Roy McMurtry, who was the Attorney General at that time—I was a member of the committee, along with some others—and listening with interest to the proposals he was making. Mr McMurtry was listening to what the opposition had to say and what outsiders had to say. Sometimes his views prevailed, sometimes he pointed out why it would be difficult to implement what the opposition wanted, but at least there was a feeling out there that (a) there was some power for individual members who are elected, and (b) the government might well modify its view if it felt the opposition had something constructive to say.

The member for Dundas and Flamboro and Ancaster and other places like that, who has a new name now—Wentworth-Burlington—has a view to express on the issue of reconstructing his particular area, as many people have. We have there a case of a bill which is another development happening with government.

This isn't the only government that has done it—please don't get that impression; it isn't—but these omnibus bills really prevent us from dealing in detail with individual bills that we should be dealing with. The House should sit more often, the House should probably sit longer, we should have more time to deal with bills, and the bills should be introduced at the beginning of the session of the Legislature.

What we've seen happen is the two-for-one special that I've mentioned. You get two days of debate counted when you have an afternoon and an evening session. Speaking times are significantly reduced. Do you know what prompts these tricks that opposition people will try? It's the taking away of the opportunity for debate. When they can't debate and slow things down that way, they start doing things such as proposing amendments of all kinds or trying other tricks that would slow down or stop the legislative body in which they're involved. If you gave that time, to have a good old-fashioned filibuster once in a while, as conducted by the member for the then Welland-Thorold over the auto insurance bill, if you had that, I think you would see a lot of the other so-called tricks disappear, the bells ringing and things of that nature which are disruptive and not very democratic themselves.

There is the automatic moving to orders of the day at 4 pm, the question period dropping and the routine proceedings, the government completely ignoring the parliamentary calendar when it sees fit, ignoring and

stopping order paper questions and, as I say, getting rid of the rule that Mr Eves was responsible for, which was the rule that would not allow the government to introduce its legislation at the very end.

I'm very concerned as well, when we talk about this assembly and its diminished powers, that we have certain offices now where there is not a consensus when the person is appointed. It was said in the House today that the new Environmental Commissioner is to be a person who was a Conservative candidate in Cochrane South, a federal Conservative candidate in Nipissing and president of the Nipissing Progressive Conservative Association. He is being pushed through by the government members, that not being the opposition members' first choice for that particular individual.

If we had a true consensus in this House on officers of the House—the Ombudsman, for instance, and the Environmental Commissioner, if we really had that—and I've seen it happen before where the Premier will go to the two opposition leaders and say: "This is who I'm proposing. What do you think?" They may stop it or they may still proceed with it, but there's that kind of consultation.

There is no question about it that this person who is being proposed now will be tarnished and the office will be tarnished by the fact that it looks as though the fix was in by government members wanting to put this person in place. He may be a very nice person in terms of personality and so on, but if you don't have the consensus in the House as to who these officers should be, then you're never going to have confidence that that office is going to be completely independent, that it's going to be objective and that it's going to be effective.

I lament the fact that I'm speaking on yet another time allocation motion. I ask the government members to start to think about how the powers of this House are being eroded on almost a daily basis and how the parliamentary system is becoming irrelevant as a result.

1630

**The Deputy Speaker:** Further debate? The Chair recognizes the member for Peterborough.

**Mr Rosario Marchese (Trinity-Spadina):** On a point of order, Mr Speaker: The member for Don Valley East was in the way when you acknowledged the other member. I was here. I would hope that you would acknowledge me in the next order of speaking, if you don't mind.

**The Deputy Speaker:** Order. At the time I was recognizing a speaker, I didn't see the member for Trinity-Spadina. It begs to remind us of why we have rules, and the rules are that you shouldn't be standing between the Speaker and anyone else. With the indulgence of the member for Peterborough, it would be my wish to include the member for Trinity-Spadina in rotation but I need your permission to do that.

**Mr R. Gary Stewart (Peterborough):** Mr Speaker, because of my generous nature and being such a wonderful person that I am, after listening to the last speaker I was so impressed that I thought I was in la-la



land, so maybe we will get out of that la-la period and we'll let the member speak.

**The Deputy Speaker:** I'd do anything to get out of la-la land, and therefore I'm recognizing the member for Trinity-Spadina.

**Mr Marchese:** Thank you for the generosity. I don't see it often displayed by the members on the other side, but to be frank and fair, when someone is as generous as the member from Peterborough was in this instance, I want to thank him for that. I want to say that I'll be sharing my time with the member for Niagara Centre, so at the appropriate moment he will be speaking as well because we both have a lot to say.

It's an opportunity to speak on this bill, but it's not an opportunity for me to speak on the time allocation part of this bill. I don't see that as an opportunity; I see that as putting a noose around me and around the debate we need to have on the bill. This government constantly has a noose around our necks, a noose on debate constantly, each and every day, in this place. Like the member for St Catharines, we see this as a breach of the democratic rules in this place, as a serious infringement on our rights as members, in terms of being able to debate bills adequately and to respond to bills in a way that gives us and the community an opportunity to be able to discuss things in a fair, equitable, timely and intelligent manner.

What worries me about this government is that it operates in a way that says, "We are omnipotent." That's the way they behave. They say, "We are omnipotent"—and to add another "omni" word—"omniscient as well." Because they are omniscient, we don't need that much debate in the House because the lucidity comes from the other side and the fountain of knowledge is on the other side, and why have a debate?

Surely, you've got two opposition parties to debate. I suppose they will argue we are almost redundant, both of us, both you Liberals and we New Democrats. I would say that they probably wish we would just disappear. It would make their lives so much easier if the opposition were simply to disappear. But because that is not the case, they have a time allocation motion as a noose around our necks, and it keeps on reappearing.

**Mr John Hastings (Etobicoke North):** That hurts.

**Mr Marchese:** Sure it hurts. It hurts each and every time you do it. What's clear to me is that you're saying, "We have the power and we are going to exercise it, whether you like it or not." It's a frightening thing. It's a frightening power.

I think of the poor municipality of the city of Toronto. I think of the fact that they're about to be restructured, downsized, undone, and the reason why they're doing it is: "Because we can. Because we have the power to do so." You know what the rationale is, Mr Curling?

**Mr Alvin Curling (Scarborough-Rouge River):** No, I don't.

**Mr Marchese:** The rationale is: "We have the interests of Ontario at heart"—that part of the body or of the anatomy which they do not have, but that's what they say—"and we will defend the interests of Ontarians at all

costs in spite of the municipality that is there, elected to do a job. In spite of that we are, on behalf of all Ontarians, going to decimate them. Why? Because we can." It's a tremendous power. It's a frightening power that in my view is often abused by this government for their own political reasons.

**Interjection:** Shame.

**Mr Marchese:** I think that is a shame indeed.

In relation to this bill, we have raised a number of points that we think are important to be dealt with. You'll recall clause 8(1)(a). It looks as if it were a harmless part of an act, saying that in a multi-employer pension plan the administrator may be one of the employers. But we argue that it would strip away a significant right that has been won by workers. In court cases it has been determined that multi-employer plans must be administered by a board of trustees, with half of the board made up of representatives of employees. This will be gone with their amendment, and it's something New Democrats have fought for and advocated for, for quite some time. Why do we advocate for such a thing? Because we believe all pension plans should give employees an equal say in how the plan is managed.

We're worried because, who are the people who have lobbied for that section? It's the employers, obviously. They're the ones who have lobbied this government to get this particular section in because it benefits them, quite clearly, and shuts out the representation of employees. I understand that. I understand the reason why they're doing it and I understand that the employers by and large are a powerful lobby group, and this government is here to assist, to administer on behalf of the employers so that, in their terminology, "We can get this province moving and working again." We must assist the employers at all costs.

If we somehow don't have any employee representation, should that be a problem to anyone? I don't think so, necessarily, from the point of view of Tories, that it should be. They, in their omniscience and omnipotence, who have the interests of all Ontarians in mind—although in this particular instance they're helping employers—they, because of that obsessive power—you folks are obsessed with the abuse of that power, and that's why we're here saying to you that you abuse it and use it in whatever form you want under the guise of protecting the interests of all Ontarians.

1640

In this instance we say you're not protecting the interests of the employees. We say they need to have adequate representation, if not half of the membership of those boards being represented by employees so their interests are reflected and protected. We say the employers are not there to do the job for them. If it were the case, if the benevolence of employers was manifested in some cases and/or in many cases, we wouldn't be here fighting it. But we know that's not the case. So that particular section, we have argued, is of particular concern to us.

The other section of particular concern to us are subsections 67(5), (6) and (7) of the Pension Benefits Act.

*Interjection.*

**Mr Marchese:** Bear with me for a couple of moments. I haven't got much time. It's true I'm sharing this with my friend from Niagara Centre, but you have to give me some time. You put the noose around this debate. Please loosen it up for a bit. We still have a few more moments.

Section 67 affects the locked-in RSPs. We have argued that this is of particular concern, and under your explanation and definition—I'm not sure you explained it well, but we did that last week—it allows, in the language of financial hardship, for people to take their money out under certain circumstances, which in some cases I can understand. In a particular situation where somebody has a serious illness and doesn't have much time to live, that may be, in my view, something that is useful for some individuals. In that particular instance, I think it can be very useful. But you have decided that you will define "financial hardship" later on in the regulations, in the coziness of your own timelines, and we won't have a sense of how you define this, except again in your usual benevolence and omnipotence that you presumably will come up with the right terminology to help people in all circumstances. So in a limited circumstance I can see how this can benefit some people. But if you define it in such a way that a whole lot of people can opt into this particular section or this part of the act, some of us worry about what some workers will do.

Pension plans are designed to protect people as they get older so there's something for them on retirement. If some people decide that their hardship requires them to take their money out now and they find themselves without any money after using that clause and spending most of it in a short period of time, I tell you it can bring greater hardship to that individual than they think.

*Interjection.*

**Mr Marchese:** Now they worry about Big Brother. They're saying, "We want to give them choice, and you shouldn't have Big Brother." On the other hand, when they restructure the city of Toronto, they say, "Big Brother needs to step in," because they know better. Is that not the case, member from Etobicoke? In this case you want people to have the choice, but in the case of restructuring you're saying, "We don't think that is necessarily good, because those people at the city of Toronto and all these other places don't know what they want, and we in our benevolence, omnipotence and omniscience will determine their fate because we can, because we have the power to do so."

*Interjection.*

**Mr Marchese:** You like my use of alliteration?

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** You need another "O" word.

**Mr Marchese:** Another "O" word? "Oh, woe is me," is what a lot of Ontarians are saying. A lot of Ontarians

are saying, "Oh, woe is me," because what they do in so many ways is so frightful to me. Speaker, you were outside the Legislature a while ago. This government is fond of talking about waste—three million bucks for this book. When I asked questions twice in this House about this, do you know what the answer from the Minister of Culture was? "The money from this book doesn't come from the Minister of Education, so why are you attacking the Minister of Education with the use of this book?" I attack them because there's only one taxpayer. Do you know where that line comes from? From mon ami M. Harris, the Premier, who constantly, in his past and present life, says, "There's only one taxpayer." Isn't that right, David? There's only one, isn't there? Unless you can, of course, tell me that perhaps there are more than—

*Interjection.*

**Mr Marchese:** It's the same taxpayer. It's the same pocket, left or right. It's the same pocket.

Three million bucks wasted. Wasted money on a book that, of course, if we had a whole lot of money to waste, it wouldn't have been such a dreadful, frightful thing. But when this government—

*Interjection.*

**Mr Marchese:** I know. When this government—and I heard it from Mr Clement, the Minister of Municipal Affairs, in one of his press conferences where he says, "We work seven days a week, 24 hours a day, finding ways to save the taxpayer money." These guys don't sleep finding ways to cut waste so they can help the taxpayer, giving them relief from the overburden of the unnecessary expenditures. I offer one small example of that lapse of his sleep because, quite clearly, he wasn't awake when they dealt with this—or he was sleeping, obviously, one or the other. Sleeping awake is a state that I think confounds all of you on the other side.

I just want to make the point that it's a waste of money. You should be dealing with this issue. That is a point I want to make. We need time to debate real issues, and this is a real issue. It is.

I've been speaking to teachers and to students. Students came to demonstrate. They brought 10,000 books from Ottawa. They brought 10,000 books to symbolize the incredible waste that this government is engaged in under the guise of: "Isn't it nice? We produced a nice little booklet. Beyond the fact that Mike Harris's face is on it, we got some nice little pictures from the kiddies. There may be a nice little poem from some grade 9 student, I'm not sure, but they're getting the book anyway. What have you got against little kiddies and others putting their thoughts for the new millennium?"

Those kids are saying: "Please, you're wasting my time and money. I need a textbook that I have to share with many students. I need to use a textbook that isn't tattered. I need a new book in my school, and yet you offer me this." They are saying, "We don't want to see the Premier's face on this book because we're offended by it."



I'm offended by it. We've got real bills to debate which have already been given the boot or at least the noose in terms of the debate around the squeegee bill.

**Mr Hastings:** Don't go down that road.

**Mr Marchese:** But we have to return to it. Talk about an egregious waste of my time; that was it. You remember that debate, member from Brampton?

**Mr Hastings:** Etobicoke North.

*Interjections.*

**Mr Marchese:** It's too big of a title. Somewhere up there in the north, in the 905 area. There were no one lives expect Tories. Good God, it's a place I wouldn't want to live in. I am blessed. I am here in Toronto. We have a lot of progressive people.

But on that squeegee bill, they wasted a whole lot of my time. They did. We were dealing with a bill where it says the squeegee kids are a threat to society. Yes, like a whole lot of senior citizens were walking on Queen and Bathurst, every day, in the morning and in the evening saying: "Oh my God! The squeegee kids are about to raid my car. The squeegee kids are coming. Save me!"

We had Harris saying: "Don't worry. Don't worry. We're coming to protect you from the 200 squeegee kids across the city of Toronto. We're going to put them away."

**Mr Peter Kormos (Niagara Centre):** A hundred bucks a day to keep them in jail.

**Mr Marchese:** A hundred bucks a day to keep them in jail to protect the senior citizens from these wild—

**Mr Kormos:** Entrepreneurs.

**Mr Marchese:** No, they're not entrepreneurs. According to this government, they are the dregs of society. They drag us down.

1650

**Mr Kormos:** But they seem like entrepreneurs to me.

**Mr Marchese:** We argue, the member for Niagara Centre and I, that these people are just trying to make a living. They don't bother me, and I live in this riding. Every time they clean my window, I give them some money as a way of reflecting their work. I've never been threatened by any of them, but these Tories who come from the 905 and beyond fear them, and because they fear them, they loathe them. And because we are under threat from these squeegee kids, a threat of becoming uncivil and the morals of this society about to be corrupted, we need to put these people in jail and fix them once and for all.

Imagine, we don't have enough cops on the street and they want to spend the resources of my tax money to hire a few more police that we don't have, who are needed for real crime, to go out and put these kids away. That's why I say it's shameful. You people wasting my time to deal with something like that when we have serious matters to debate in this place, I tell you, is a crime. That's what I consider a crime. We should be debating a bill to consider this bill a crime. Then I would come here and debate it quite happily because there would be a reason, of course, to be here and do that.

But on this pension bill, we've highlighted a few issues. Reality is never, by the way, that clear and/or consistent at times. You have to shift reality and then bring it back and establish the links between one and the other. We have to do that constantly. That's why I have been forced to digress to talk about real issues, as well as the fact that you have put time allocation on this particular bill.

You'll remember there is another aspect of this bill, sections 93 and 95, which we argued was a subtle one. Again, this is where employers have lobbied intensely for it, and it relates to pension plans with members in more than one province, as many have. Currently such plans are registered in the province where they have the most members, which is usually Ontario, but each member is covered by pension laws from the province in which he or she lives.

This provision would allow for interprovincial agreements that could allow Ontario workers to be covered by a plan registered in another province and covered by that province's pension laws. The problem is that Ontario pension laws are better for workers in important ways. Under Ontario law, we've said, when a pension plan is wound up, employees have the right to grow into some provisions. For example, if a factor 80 unreduced pension is available, a worker whose plan is wound up when he or she is at factor 78 is forever out of luck if there is no grow-in provision. But in Ontario, the clock keeps running. The worker is no longer accumulating years of service but is continuing to get older, so therefore it's a big help. Two years later, he or she hits factor 80 and is eligible for unreduced early pension.

This is an example of what's good about the existing law, and the change that we are about to give effect to with this time allocation motion does away with that. There are some provisions like this which are very progressive in nature and help individuals in ways that I would think even Tories would find useful, beneficial to individuals. But I guess that's not the case with this group.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Progressive.

**Mr Marchese:** Progressive, yes.

So we put on the record these concerns we have on this bill which haven't been touched on and/or debated by the members of the Conservative government. They've got time; we hope they will do that.

Briefly before I leave this topic, on the matter dealing with the MPPs Pension Act, the unlocking of the pension plans of 64 members, I just want to say that it is a new thing. The Deputy Premier, Mr Ernie Eves, today said this was an understanding we had. I've got to tell you, it was not an understanding we had.

**Mr Hastings:** You weren't there.

**Mr Marchese:** I was there, and we had regular discussions on this particular matter, and I've got to say that Mr Ernie Eves, the Deputy Premier, is meddling with the truth, is—

*Interjections.*

**Mr Kormos:** Tinkering.

**Mr Marchese:** Tinkering with, maybe? Tinkering with reality? Is that OK? He's tinkering with reality and creates his own reality to give effect and give truth to something that wasn't the case.

I just want the Deputy Premier to acknowledge that this is a unilateral act, a unilateral decision made by the deputy, and then he tries to suck me in, and the other opposition party, and say, "Oh, we were all in agreement with this." That simply is not the case. I put it on the record because I think it's important for Mr Eves and others to give clearer truth to the issue than I have heard so far.

That's what I want to say in relation to this particular issue, that this is something new, this is something that this government has introduced unilaterally, and I want them to take responsibility for it and not try to drag me into that debate and make me complicit with what he has done. If I have—

**Hon Mr Klees:** On a point of order, Mr Speaker: I would like to seek unanimous consent to allow the member to stand in his place and to say here and now that he will refuse to participate in the unlocking of this RRSP for his own benefit.

**The Acting Speaker (Mr Tony Martin):** Do we have unanimous consent? I think I heard a no.

**Mr Marchese:** It's a wonderful intervention, and I just want that member to be able to stand up and say, "Yes, we're doing this." That's all I want him to say: "We are doing it." Claim it as yours. Don't say to me: "This is yours too." Refute it or acknowledge it. Your deputy said this is something that there was—

*Interjections.*

**Mr Marchese:** Mr Klees from somewhere in the north raised a question. I want to give him the same question. His Deputy Premier said all three parties were in agreement with this. That is not the case. That's all I want him to take responsibility for. So I shift the question to him. I ask him to answer that question, and then we can deal with other questions that he might want to raise later. But not answering and then posing another question is, in my view, a little bit tacky, and I don't want to be drawn into that.

I just want to say that, as usual, we in this place have very little time to debate anything. We have less and less time to debate bills that come before us. Democracy is irrelevant to this government because they are, I remind you, omnipotent, and because they are omnipotent I guess we need not be part of that debate.

I just want to remind the public, if you are incensed, angry, about what they are doing, let us know and let them know. I want to hear from you. If you think these guys are doing a fine job, this fine, undemocratic job of ruling us, let me know; let them know too. I need to know what you think, because I frankly don't care what the members opposite think about this, but I care about what you think. So you need to let us know. We need to know what you are thinking, and when you have decided

that you've had enough, let this government know and let me know in the process.

Speaker, I thank you for the opportunity, because I want to leave some time for my colleague from Niagara Centre.

1700

**The Acting Speaker:** Are we going around? OK. The member for Peterborough.

**Mr Stewart:** I didn't want it to be suggested that I sit down again because I was so generous to my friend and colleague across the way.

**Mr Curling:** Your own time.

**Mr Stewart:** That's right.

I am pleased to speak to this time allocation motion, and thank goodness we have it. Thank goodness we have time allocation on what we call in this House "debate." If that isn't the most exaggerated word that appears in this House sometimes, I don't know what is.

I listened to the member from St Catharines a few minutes ago—unfortunately he's not here—and I made the comment that I thought I was in la-la land. It seems to me that when people get up and say, "Everything was so wonderful in the past, everything was absolutely delightful in the past, but not now," it's interesting to note that in the past they didn't have very many jobs. Jobs were declining drastically. In the time that he was in government they had the largest increase in social services in the history of this province. We had a deficit, we had a debt, yet everything was absolutely wonderful and everything is bad now. Well, I don't believe it is. I was in business a long time and if I kept trying to make a decision for two or three or four days or three or four months, I would have been out of business. You cannot operate that way and go on and on saying the same things over and over again without any type of substance to back it up.

One of the comments I heard today was that it chokes off debate. If it was true, actual debate, then I could support it. I'm as guilty as anybody else in this House. There are days of debate in this House, especially at night, when it's like watching paint dry, for goodness' sake, and I believe the people of this province in some cases are getting shortchanged. Let me say that I am probably one of those, and there are people in the riding of Peterborough who would suggest, "Yes, Stewart talks a lot and a lot of times he talks too much, and also maybe he doesn't say a great deal," but it's no different from what happens in many cases in this particular House.

Delays cost money, and where does the money come from? It comes from the taxpayers of this great province. We have to get on with doing the job and doing it to the very best of our ability.

After what I listened to today during question and answer period, truly getting a picture of what goes on in this House, where a person was character-assassinated, the arrogance that was shown when this person's name was brought up about the possible appointment to a commission, for people to say about another human being



what was said about him in this particular House, I think is very disgusting.

I heard again one of the members opposite who said, "It's deteriorated in this House." The first couple of years that I had the privilege of being up here, I was on the Legislative Assembly committee and we wanted to try and make some changes that we believed were good changes. It was done by debate, by hearings. It was done to make sure that everybody could have their input and that the people of this great province would be well served. Do you know what happened? Nobody wanted to do it. Yet we will sit and criticize, we will talk about why everything's wrong and how it's supposedly deteriorated so badly, but those who are doing that did not want to be part of that debate of trying to make things a little better. I am extremely supportive of what we're doing.

It was interesting when the member opposite brought up this book. This is My Ontario Millennium Memento. I have a number of things—there are signatures in there—and someday I hope my grandkids and great-grandkids look back at this and look at the comments that have been made in this book by young Ontarians across this province. I support them 100% because they dream dreams. They have a vision of the future. We sit in our little world with our tunnel vision and we can't see what this country is going to be like in the future. I applaud the people in this. I have no problems with the people who didn't want these books. But why would you deface them? I had about a thousand of them come back to Peterborough. I've photocopied the comments in them. Let me tell you there was stuff in this book, closed up and thrown in my office that should go down a toilet. They were coming from certain areas of the city, and certain people. I'm ashamed that the people who didn't want them brought them back defaced. I cannot believe that.

The interesting part of it is, as I photocopied a number of these things, I said, "Something is wrong," because a great many of these people can't spell. I'd like to bring in some of the remarks I have and let you have a look at them. They can't spell. These are grade 11 and 12 students. Yet everybody says everybody is against it.

Let me read you a letter:

"Mr Chris Knoch, a secondary school teacher, has approached our office. Mr Knoch is going on a teaching exchange to Australia. He has requested that we supply him with materials unique to Ontario that he can bring with him to the schools he will be teaching at.

"Mr Knoch has requested that he be supplied with 30 copies of the My Ontario Millennium Memento book to bring with him for distribution to the libraries of the area schools. He feels that this would be an excellent opportunity for students from the other side of the globe to have a glimpse of the life of a student in Ontario."

It's signed by Mr Steve Peters, and supposedly everybody over there is against this particular book.

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of order, Mr Speaker: I think if the member were to look at that letter, he'd find it's not signed by me.

**The Acting Speaker:** It's not a point of order. Continue.

**Mr Stewart:** Again, as I have said, I am very pleased to be able to speak to this.

The other comment I'd like to make is that I hear the word "democracy" bandied around a great deal in this House. It's a nice word, but it's a word that some of us, I think a lot of us, may not know the true meaning of. We can talk about it and we sound very good. We sound like: "Oh, there's a fellow who's democratic. He knows what's going on." But we use words to make ourselves look good. What we have to do is get down and, yes, we have to debate and, yes, we have to have closure and, yes, we have to get on with getting the job done, as we have in this province. It is proven by the number of new jobs that have been created, the number of people off welfare, the deficit going down, and it will be eliminated very soon, within the year 2000.

I'm very pleased to be a part of this debate. I support closure. I support the bill because there are two areas in there. One is these locked-in pensions. I have had people in front of me in my office in Peterborough who have locked-in pensions who have major hardships. They could lose their homes because of not being able to meet the mortgage. Others have health problems. Surely they should have some type of dignity in the last couple of years of their lives by being able to get at their pensions. So I support the bill and I support the closure. I thank you for the opportunity to speak.

1710

**Mr Peters:** I'm very proud to stand up today and say that I'm a member of the class of 1999 and a class of politician who does not have the remnants of one of these old gold-plated pensions.

I think it's very important that the honourable member just spoke about democracy and the importance of democracy.

**Interjection:** What democracy?

**Mr Peters:** Exactly. We're here to serve the citizens of Ontario and do what's best for the citizens of Ontario, and not to do what's best for some of our past and present colleagues. I don't mean any ill-will towards any of those individuals because I respect the time and commitment they've given in serving in this House.

But here we go again. It's a real shame that we're again dealing with a time allocation motion. We're here, ramming through legislation that is not being dealt with in a good, democratic process. We're here talking about democracy and you're here trying to cut off that debate. A democratically elected official works towards making sure that the public has the right to have input in the decision-making process. Are there public hearings on this bill? No. Is there an opportunity for the public to come forth with suggestions that could be brought forward as amendments? No.

Time allocation motions are not democratic. If anything, they're very undemocratic. They truly do stifle the opportunity for us to have good, useful debate in this House. What are we dealing with here with Bill 27?

Another one of your famous omnibus bills. That's going to be the track record and the record of this government: these pieces of legislation that have so many different facets included in them. The shame about a piece of legislation like this is that there are many good things that are put forth in this legislation, but of course as a government you go and ruin that because you have to tag in something else that takes away from the importance of the legislation. I think you're doing a real disservice to all of us as members, but worst of all you're doing a disservice to the citizens of this province. You've added in this clause dealing with MPPs' pensions, and I think it's wrong.

Earlier I heard the member for Northumberland talking about getting on, moving ahead and being accountable, about being leaders and being consultative and the lack of leadership, but those are all things you're not doing as a government, and that's a real shame.

Some things, though, as I say, are good in this legislation. It's important because there are pieces in this legislation that are going to be good and beneficial for the citizens of this province. That's got to be first and foremost in our minds all the time: what's good for the citizens of Ontario, not what's good for a select few.

I applaud the decision to amend the shortened life expectancy section as a very good move. Working towards unlocking financial hardship is a good move, but there are still problems even within that. One of the members who spoke today said that all we do is speak up and oppose, oppose, oppose, but if you gave us the opportunity to have good debate, we could bring forth some good ideas.

I'd like to talk about unlocking the financial hardship. The concern I'd like to express is that it's most likely going to create a real bureaucratic nightmare. The superintendent will have to approve each case individually. How is that person going to do that? Who is going to set the rules? You know what? It's probably opening up a legal nightmare.

Most of us, on the one hand, would want very specific rules that would make it easier for us to protect the viability of pensions in general. However, being too specific could lead to allowing an arbitrator to decide what happens with somebody's pension. The amendment to section 39 is one that's interesting, but most importantly, members need to understand that it's one that has to be strong. This is one, though, that I think you're leaving very open, and people in this province vulnerable. What you're doing, I'm afraid, is leading towards lessening the employers' costs.

But the biggest problem with the bill that's in front of us is the aspect dealing with MPPs. In 1996 the Honourable Ernie Eves spoke in this House about the sweet deals that politicians had created for themselves. But do you know what? This piece of legislation has just added a new sweetheart deal for a select few in this House. You are treating MPPs differently from others in this province. The same rules should apply to every citizen across this province. What's good for past and present MPPs

should be good for every person in this province. As I said before, it is incumbent on every one of us, all 103 of us in this room, to do what's best for all citizens of this province, and not put forth and do something for a select few. We need to ensure that what we do is going to benefit everyone, and this does not benefit everyone.

There was a big deal made of the changes that took place in 1996. I know the majority of citizens in this province applauded and approved the decision to do away with those sweetheart pensions. I thought that you thought you had it all right then. But obviously you feel there is something wrong with it, and you tagged in this amendment or added a piece to this legislation to set out different classes. You are creating two classes in this province: one class, the citizens of Ontario, and the other class, about 61 politicians. I think that is very wrong.

We are here today to debate the special provisions you have included in this legislation. I think it should be incumbent on all of us to really think hard about what has been included here. Quite frankly, I believe you are betraying the citizens of this province. All of you should stand up and honour the commitment you made to the citizens of this province, that all members of this Legislature made to the citizens of this province in 1996.

In 1996, when the pension debate took place, you said you were a government that was leading by example. You were a government that talked about restoring public faith in the service of its elected members. Passing this legislation is wrong. What kind of example is being set here? How can the public have any faith in some of its elected officials? What you're doing is creating a two-tier system.

I urge all members opposite not to work towards unlocking the MPPs' pension bill. I urge you to remove that provision from this piece of legislation. It's obvious, though, from the way you're dealing with this time allocation motion, that you're not interested in doing that. You're interested in helping out a select few. I urge you to think long and hard about what you are doing. You're not doing what we are elected to do: to serve all the citizens of this province. For the most part in this legislation, you do that. But you had to go ahead and tack something onto it that creates inequality and inequity in this province. Especially to my colleagues from the class of 1999, those members who like myself are sitting in the back rows: You owe it to your constituents. How can you stand up and support this? You owe it to your constituents, but more importantly, you owe it to the citizens of Ontario to make sure that in what we do in this Legislature we treat everyone with respect and most of all that we treat all citizens of this province with equality.

1720

**Mr Kormos:** Here it is 5:18 pm on Wednesday and I've got 21 minutes—that's all I've got—to speak to this time allocation motion. I know folks are watching. They've got choices. I think Oprah is playing on some network right now, Judge Judy is probably on another, something is happening on the cooking channel, and I'm trusting that people who watch Jerry Springer are



watching the Legislative Assembly channel. The very type of audience that Jerry Springer appeals to is undoubtedly the same one that the Legislative Assembly channel or broadcast appeals to.

What is most troublesome here is that this deals with pretty complex legislation. I confess I've had to work a little harder with this bill than with many others to understand the implications of the bill, and have relied on advice. For instance, I'll be quite candid with you, I appreciate the counsel or the insight that Toni Skarica gave me when I asked him last week to flesh out some of the sections of this bill, because he had a far better understanding, a broader-based understanding of the implications of these, and I relied on his advice.

I understand that seniors and their organizations have commented publicly on this legislation and have expressed some interest in the relief it's going to provide for some people who find themselves, for instance, with terminal diseases. They can access that pension fund beyond what the rules currently provide, because the sad reality is that their life expectancy has been shortened because of those terminal diseases. I understand as well the interest of seniors and other retirees about the provisions that permit financial hardship to be considered.

At the same time, it seems to me there are a number of sections in this bill, including those that deal with those two issues, that warrant some broader-based public consideration and consultation that this time allocation motion is going to preclude. There's probably a whole lot of stuff here that a whole lot of people out there are interested in making comments on; a whole lot of people with a whole lot of expertise in the area of pensions, for instance, and what this could mean for any number of participants in these schemes, especially depending upon what the configuration of the various regulations and standards is that people are going to have to meet.

Let's understand that this time allocation motion doesn't just provide for the end of second reading debate—and there's been precious little debate on this bill—but also puts it directly to third reading without any possibility of committee hearings. I find that very regrettable because I am interested in what some of those people out there, some of those pension experts, some of those people from the labour movement who have been working with pensions and pension reform all of their careers, might have to say about various sections of this bill.

I am interested in sitting down and listening to what seniors and their lobby groups and organizations might have to say about the provisions in this bill that they are particularly supportive of.

I have concerns because I am told that, among other things, this bill will take away some very important pension rights that workers have fought for here in Ontario. I am told—and I would very much like to hear this elaborated on, fleshed out, if you will, during the course of committee hearings—that these include the principle of grow-in rights.

This bill speaks to the reality of more and more employers simply wrapping up their affairs here in Ontario and moving on. We saw that with the advent of free trade and increasingly so with NAFTA. There are all sorts of explanations for it, but the fact remains that the number of companies seeking windups of their pension plans, I am told, is increasing at a dramatic rate.

One source even told me that the days of the defined benefits pension plan may well be very brief. The defined benefits pension plan may not have much more relevance, because it's not the trend. I find that regrettable because for many workers the struggle for defined benefits pension plans has been a long and hard one.

These are the sorts of things that I'd like to hear about and I think other members of this Legislature ought to want to hear about during the course of committee hearings. There are people out there eager to participate in the consideration of this bill, this legislation, and this time closure motion denies them that right. It also denies us access to the insights they can provide. I think that's very unfortunate, very regrettable.

I understand there are things on this government's agenda that they want to pass before Christmas. We're sitting here on Wednesday, we're going to be sitting tomorrow, on Thursday, we may well be sitting Monday and Tuesday—I don't know how much beyond that—and then the public can, with a sigh of relief, observe their legislators returning to their communities, their ridings, and feel safe for at least three or four months because Parliament won't be sitting. There won't be the activity that's been going on here in such a compressed period of time over the last three weeks, four weeks—how long has it been now?—of time allocation after time allocation. What that means is the denial of the rights of members of this assembly to participate in debate.

I don't understand what the urgency is about this bill that it has to be dealt with before Christmas. Surely this bill could be considered in committee during the course of that Christmas-spring break and then come back for third reading with whatever amendments might be considered by the committee.

One of the things I've experienced over a decade now is that bills done in haste make waste. This bill, like so many other bills that have been rammed through this Legislature without adequate consideration, is bound to contain some serious omissions and shortcomings and errors which could well cause significant grief down the road until those errors get detected and then corrected.

I'm voting against this time allocation motion. I've never supported a time allocation motion in my almost 11 years here at Queen's Park.

*Interjection.*

**Mr Kormos:** I certainly did, because I believe this forum is all about engaging in debate around the issues. I recall a day in this Legislature when the Speaker had to determine the legitimacy of a time allocation motion—do you recall, Speaker?—when it couldn't be done willy-nilly by a government, when there had to be a clear demonstration of there having been an adequate or

reasonably adequate discussion of the issue and/or the Speaker was satisfied that the opposition—inevitably the opposition—was not using tactics merely to delay the process of the legislation. I challenge the government that that hasn't been the case here.

This is not unimportant legislation. This is legislation that's going to impact on how people access those monies which are theirs, but not quite theirs, that they invested, initially with the expectation that it was going to be a defined benefit pension but has been wound up. As I say, there's every indication that there's going to be more and more of these windups of pension plans over the course of the months and years to come, so we should be very careful about this.

1730

There are some reasons for the historical rules regarding access to your wound-up pension fund that are designed, among other things, to protect seniors. Again, I'm prepared to hear the debate about it. I listened to the leadoff comments from government members. I listened carefully. I'm prepared to hear the debate about it. I want to know. So does the public out there. So do the folks in Niagara Centre and in every one of the other 102 ridings across this province. I want to know whether spouses are being adequately protected in this legislation. I want to be assured that the nature of the exemptions is such that there won't be unfettered access to funds so that people in their relatively early retirement years find themselves without any resources to earn income to support themselves as they get older and older.

Understand this: I come from a generation—I recall it well, and a lot of other people here do too, growing up in the 1950s—when people used to worry about not living long enough. Now I'm encountering seniors who worry about living too long. They are worried about whether or not their modest pensions and savings are going to carry them through into their 80s and, yes, 90s as they lose more and more of their physical abilities and so on with increasing age, as they understand, especially under this regime in the province of Ontario, that assistance to them to remain in their own homes is increasingly going to have to be financed privately by the individual senior and his or her family, as we see home care cut back dramatically and as we see increasingly inadequate levels of support for senior citizens, and as those same senior citizens see property taxes increase dramatically as a result of the downloading onto municipalities.

I've got 70- and 80-year-olds in my community who come to me having worked hard all of their lives, having paid for their homes, who, when confronted with growing property taxes as a result of the downloading and the increased privatization of those services that once we believed philosophically and fundamentally were to be available to all, that there would be universal services regardless of your income—I've got seniors in their 70s and 80s worried about the prospect of homelessness. No, they don't envision themselves living in an alleyway tucked under a tattered old sleeping bag or blanket. They

don't envision themselves as such, but some may end up there.

The bottom line is they're nonetheless worried about the fact that the homes that they built, the homes that they raised their kids and grandkids in, are going to be seized and stolen from them by a government with its downloadings and the concurrent increases in property taxes and the increased privatization of health care services, among other things. The imposition of newer and bigger user fees on what seems like almost a daily basis has made it increasingly difficult for seniors to continue to live in their own homes, homes that they built, that they paid for. They thought they owned them. They thought they owned their own homes. These people are visiting me in my constituency office and I'm seeing them at the market squares and at the supermarkets and at the shopping plazas and they are telling me that they are becoming increasingly fearful of living too long, of that hard-saved money in modest investments not being sufficient to carry them through their senior years. I find that an incredibly troubling phenomenon.

My God, we're talking about the people who built this province, who built our communities, who built neighbourhoods, who built families, who worked far harder than any generation since them has had to, who, quite frankly, worked like dogs and saved and did without, who made sacrifices. These are the kinds of folks I'm talking about in Niagara Centre, in the communities like Welland and Thorold and Pelham and St Catharines. They're the kind of folks in every other community across this province. This bill is all about them, among other things, isn't it?

Surely this bill warrants some more studied consideration than this government is prepared to allow. Why can't there be committee hearings? There are so many people out there who have a significant interest in the impact of this legislation that this cries out for public hearings. The matter doesn't have to be dealt with today. That's what this government wants. It wants the bill to pass without debate. It wants the bill to pass without committee hearings. It wants the bill to pass without third reading debate.

The purpose of debate goes beyond merely debating the bill. It gives an opportunity for members of this Legislature, be they opposition members or government members, to stand up and explain publicly where they stand with respect to a particular issue and why they stand in that position. Their constituents deserve that much. If this government wants to shut down debate before even but a handful of members have had an opportunity to speak to this bill with what could be some very dramatic implications for a whole lot of people, that's not democracy.

We pride ourselves here in this province, I suppose here in this country—again I acknowledge that compared to so many other jurisdictions, so many other regimes throughout the world, we have far more civil liberties. I agree with that, no hesitation, no quarrel with that, I understand that there are things that I do here in this



province, in this Legislature that would have me jailed or worse in a whole bunch of countries throughout the world. They would. We should be very conscious of that and we should be very grateful for that because it's incredibly important that there be an opportunity to debate and criticize.

That's an incredibly valuable right. It's a right that's the envy of most regimes and the population of most of the places in the world. Yet it's a right that is very quickly being not just eroded but washed away by a government, by a regime here in the province of Ontario, the Harris Tories, that has no regard for democracy, no regard for the rights of individual members of this assembly, no regard for the rights of voters and other residents across this province to be represented here at the Legislative Assembly. When you silence, when you gag individual members, and that's what this time allocation motion is all about, this closure motion, you deny voters and other residents their right to be represented in a Parliament. That is not a very attractive state or a very attractive set of conditions for what a group of people, a community of people, this provincial community, believes to be a democratic society. At the end of the day, it's blatantly undemocratic.

Serious issues here: The concern about the growing in and the abolition of it by this bill, which is going to become relevant to increasing numbers of workers as their jobs disappear because of what I acknowledge is a phenomenon—do I agree with it? No, but that's not the point—of capital shifting very rapidly, as well as loci, if you will; locations, venues of production being shifted dramatically, be it from Canada to the States, or from the United States to Mexico, or Canada to Mexico or to any other number of places in the world. We're seeing increasing numbers of workers lose their jobs before their eligibility for a pension clicks in. If the critics of this bill regarding the abolition of the grow-in rates are correct, it will have a serious impact on huge numbers of working women and men here in Ontario. That deserves to be the subject matter of committee hearings so expertise can be brought in, so it can be considered, so the public understands exactly what it is this assembly is voting on, so the members of this Assembly understand exactly what it is they're voting on.

1740

There is nothing in this time allocation motion about which government members should be proud. This isn't a time allocation motion that's a response to delay tactics on the part of the opposition. I acknowledge that's taken place. This isn't a time allocation motion that's motivated by a need for the government to enact certain legislation within a time frame. I acknowledge, quite frankly, that on occasion that's the case.

This is a time allocation motion that's going to cut short important debate, that's going to eliminate important access to incredible expertise out there by way of public, open committee hearings—that's democracy—merely because this government wants to wrap up a certain part of its agenda before we break for Christmas.

Well, I think that is an extremely heavy-handed and undemocratic way in which to govern a province and in which to control a Legislative Assembly

Are the jackboots really marching? Can I hear the footsteps here in the province of Ontario? I fear so.

**Mr Tilson:** I'd like to join the debate on this time allocation motion with respect to Bill 27, which is the Pension Benefits Statute Law Amendment Act. I've listened to almost all of the discussion this afternoon, particularly the member from Niagara Centre for whom I always have a great deal of respect. In fact, when we talk about filibusters, we all recall his famous filibuster over the Liberals' insurance bill. I can still remember turning the television on at night and I can remember turning the television on in the morning, and there was his lovely face. He went on and on. I guess one could debate whether the filibuster is a proper process of democratic government.

The member from Trinity-Spadina has commented on this as well. It's difficult stuff, to talk about this. I listened to all these items that were discussed today and I made notes of what they were saying. With the exception of the member from Niagara Centre and the member from Elgin-Middlesex-London, there was very little talked about with respect to the bill and with respect to the time allocation motion. We talked about everything under the sun.

*Interjection.*

**Mr Tilson:** Yes, and the member from Trinity-Spadina. I always enjoy his speeches. I always applaud them. They're excellent speeches. I rarely agree with what he says but I always enjoy his presentation. It's most interesting. I apologize: He did talk about the bill somewhat, although he did drift into the city of Toronto. He did drift into his favourite topic, which is the millennium book that's been presented. He did drift into the Safe Streets Act and a number of other things which really didn't have much to do with the pension bill. It didn't have anything to do with it. Maybe I was missing his point. It's possible that I was missing his point.

The member from St Catharines: I, too, always enjoy his speeches, although I didn't hear the pension bill or time allocation mentioned once; not once. He talked about Bill 26 and very genuine concerns. He did it in an intelligent fashion, about the presentation of how we should speak in this House.

*Interjections.*

**Mr Tilson:** I know. I don't want to overdo it. He talked about omnibus bills. He talked about environmental commissioners and he talked about a whole slew of things. But he didn't talk much about this pension bill or with respect to the time allocation motion.

The member from Windsor West: I didn't hear all of her speech. It was an interesting speech but it seemed to talk about drugs and raves and—

*Interjection.*

**Mr Tilson:** —wasn't it great?—parties. They're serious problems. I'm not going to deny that. But it

didn't have anything to do with this bill or the time allocation motion.

My point is, maybe it's time for the debate to come to a close, when all these members stand up. We on this side are just as guilty of it. We've talked about matters other than the pension bill and the time allocation motion. I will agree that the member from Niagara Centre and the member from Elgin-Middlesex-London were bang on topic, with the exception of those two speakers. They were the only two I could see who got on topic. Maybe the time has come to end the debate on this bill. I'm going to be supporting the resolution. There comes a time when we've had enough. Perhaps we should vote on it when no one has anything else to say.

The comment I'd like to make is that there seem to be two issues with this bill. One is with respect to the MPPs' pension transfer into RRSPs. The opposition is greatly offended about that. The other issue is with respect to individuals who for whatever reason come upon a time of hardship or they've discovered that they're not going to live long and they've got this money in this fund that they can perhaps enjoy their final time off. The superintendent will make the decisions as to whether or not they should have access to those monies.

This isn't a whole new concept. This has been done in wills. For any of you who have completed a will, the lawyer will put a clause in it, particularly with respect to children or grandchildren, and the testator says, "Well, the monies are to be held for my children or grandchildren until they reach a certain age," which could be years off. They put a clause in the will—at least most of the draft wills I've ever seen—that says if there's some unusual situation, some unusual requirement for maintenance or some unusual requirement for education that was unforeseen by the testator 15, 20 years ago, the executor or the trustee of the fund that's being kept there for those children can have access to it. It's a very general form clause and it's left in the discretion.

There are unforeseen situations. We don't plan on these hardships. Some of the members talked about how we should be careful of our pension funds, that we need money when we get older, and we do. There are all kinds of examples. I don't think anyone is objecting to that. I listened to the member from Niagara Centre. He didn't seem to object to that. He objected to some other things. I don't mean to pick on you. I'll pick on the member from Elgin-Middlesex-London. I don't think he disagreed with that either. There are situations where those monies are needed, as they were provided in a will.

The issue of contention seems to be with respect to the MPPs' pensions. We've heard the arguments from the

opposition. We've heard the position from the government. Mr Speaker, it's time to vote, because it seems that everything that can be said on this bill has been said. I don't want to prolong it any further and I, accordingly, will retire. I would like to vote.

**The Acting Speaker:** Further debate?

Mr Klees has moved government notice of motion number 24. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1750 to 1800.*

**The Acting Speaker:** Mr Klees has moved notice of motion number 24. All those in favour will rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Hastings, John	Runciman, Robert W.
Baird, John R.	Hodgson, Chris	Sampson, Rob
Chudleigh, Ted	Hudak, Tim	Skarica, Toni
Clark, Brad	Jackson, Cameron	Snobelen, John
Coburn, Brian	Johnson, Bert	Spina, Joseph
Cunningham, Dianne	Kells, Morley	Sterling, Norman W.
DeFaria, Carl	Klees, Frank	Stewart, R. Gary
Dunlop, Garfield	Marland, Margaret	Stockwell, Chris
Ecker, Janet	Martiniuk, Gerry	Tilson, David
Elliott, Brenda	Maves, Bart	Tsubouchi, David H.
Eves, Ernie L.	Mazzilli, Frank	Turnbull, David
Galt, Doug	Molinari, Tina R.	Wettlaufer, Wayne
Gill, Raminder	Munro, Julia	Wilson, Jim
Guzzo, Garry J.	Mushinski, Marilyn	Witmer, Elizabeth
Hardeman, Ernie	Newman, Dan	Wood, Bob
Harris, Michael D.	Ouellette, Jerry J.	Young, David

**The Acting Speaker:** All those opposed will rise one at a time and be recognized by the Clerk.

#### Nays

Boyer, Claudette	Duncan, Dwight	Marchese, Rosario
Bradley, James J.	Gerretsen, John	Patten, Richard
Caplan, David	Kennedy, Gerard	Peters, Steve
Churley, Marilyn	Komos, Peter	Phillips, Gerry
Conway, Sean G.	Kwinter, Monte	Ramsay, David
Curling, Alvin	Lalonde, Jean-Marc	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 48; the nays are 17.

**The Acting Speaker:** I declare the motion carried.

This House stands adjourned until 6:45 of the clock.

*The House adjourned at 1802.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton East / -Est	Agostino, Dominic (L)
Beaches-East York	Lankin, Frances (ND)	Hamilton Mountain	Bountrogianni, Marie (L)
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Brampton Centre / -Centre	Spina, Joseph (PC)	Hastings-Frontenac-Lennox and Addington	Dombrowsky, Leona (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of the Environment, Minister of Municipal Affairs and Housing / ministre de l'Environnement, ministre des Affaires municipales et du Logement	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
Brant	Levac, Dave (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Broadview-Greenwood	Churley, Marilyn (ND)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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**Assemblée législative  
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Première session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 15 December 1999**

**Mercredi 15 décembre 1999**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 15 December 1999

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 15 décembre 1999

*The House met at 1845.*

### ORDERS OF THE DAY

#### FEWER MUNICIPAL POLITICIANS ACT, 1999

#### LOI DE 1999 RÉDUISANT LE NOMBRE DE CONSEILLERS MUNICIPAUX

Resuming the debate adjourned on December 14, 1999, on the motion for second reading of Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services / *Projet de loi 25, Loi prévoyant la restructuration de quatre municipalités régionales et modifiant la Loi sur les municipalités et diverses autres lois en ce qui a trait aux restructurations municipales et aux services municipaux d'électricité.*

**The Deputy Speaker (Mr Bert Johnson):** Further debate?

**Mr Richard Patten (Ottawa Centre):** I only have four minutes and 13 seconds left to speak on this so I will be motoring through very quickly.

I did leave off yesterday talking about the importance of transitional funding for Ottawa-Carleton. I'll confine my remarks only to the Ottawa-Carleton area in this huge, massive bill, which is putting all of the regions together in one bill to make it impossible to vote for it.

The next issue I want to deal with is the issue of bilingualism in the new city. It seems to me that the commissioner, Mr Shortliffe, was quite astute when his report recommended, "One of the most important issues raised during the consultation process .... The national capital must be reflective of the character of the country as a whole and must recognize the presence in its population of a significant minority of francophones." Then he goes on to specifically recommend, "The city of Ottawa will be legislatively designated a bilingual city with services to be provided in both official languages where warranted."

Ignoring that kind of comment essentially says to the people of Ottawa, "For the next year you're going to be in one hell of a hornet's nest," because you know the position of many people. You'll have APEC out, the

organization for the preservation of English will be coming from Brockville and all over eastern Ontario, and they'll be raising bloody hell.

This could all have been avoided. Even the Sun, which is often the chronicle for the government side, did a poll that said the majority of people in fact support the fact that the city should be a bilingual city. All I'm saying is, in my opinion it's irresponsible for the government not to have done that. We have a recommendation, an amendment on this side put forward by Dalton McGuinty, and I hope we have the occasion in which to examine amendments for this.

The next issue is the issue of the sledgehammer clause, which of course provides for amendments in the legislation, and this is what the amendment says, "providing for ... amendments ... that are necessary for the effective implementation of this act." What this does is effectively give the government an open door behind closed doors to make any changes they want to this particular legislation, so I have trouble with that.

Of course I've mentioned the omnibus legislation, that putting everything together makes it very difficult, but it's convenient at this time of the year of course to try and ram through all of this stuff. They do that, so that we have to kind of respond accordingly.

My position essentially is this, that the city of Ottawa, according to the CFO, is saying that the taxes will increase, given the tax differentiations that are being proposed by this particular bill. I'll read from a motion of the city, Mr Speaker, very quickly—I can't read the whole thing because I'm running out of time—where it says, "Whereas the city of Ottawa's existing debt is incurred to provide the following municipal assets which will be available to all ratepayers." The city of Ottawa, the triple-A baseball stadium, Lansdowne Park, the Walkley Arena, Sandy Hill arena, Greenboro, all of those facilities become divided up and split but not their debt, and their debt is based upon having built some of those facilities.

#### *Interjection.*

**Mr Patten:** It is so, Mr Baird, and you know damned well it's true.

Finally, I'm just going to say this: There's no way I can support this. I did start out supporting this bill. There are all kinds of undemocratic elements, such as 75 people—presumably 75 Tories—in any particular municipality, who can just yell and scream and say, "We want commissioners," and the cabinet may respond. Why

would you even put that in? It's totally undemocratic. It's unbelievable.

Anyway, I say to the people of Ottawa, beware, your taxes will go up and they'll steal by virtue of this legislation your resources and spread them out and still make you pay for the debt, and your property taxes will be increased—you mark my words—unless there are amendments to this bill.

**The Deputy Speaker:** I just want to alert you all that inflammatory language will do nothing to help the order of the House and so I'd ask you to refrain from it. Comments and questions?

**Ms Shelley Martel (Nickel Belt):** With respect to the comments made by the member from Ottawa Centre, let me focus on two things: (1) the transition costs, and (2) the provision of French-language services.

The issue of transition costs is singularly important. The government has spent much time trying to convince people that with respect to the amalgamation there are going to be tax savings. The first thing we see in the bill is that the regional municipality of Sudbury will have the pleasure of paying for all the costs of the transition team, a team which, I remind you, will have no input whatsoever in choosing, no input whatsoever in terms of their actions, their organization, the guidelines they create, the work they do etc. But the first download we will have will be the cost of that transition team itself, which we will pay in the 2000 budget and the budget in 2001, depending on how long they are in place.

Secondly, there is the cost of the \$12-million transition in Sudbury, for example, which is a cost that the minister, when he was speaking to the local media two weeks ago, said the province hasn't dealt with yet. I guess not, because some of the supporters of the very government who were pushing amalgamation in Sudbury wouldn't be so happy to be pushing this any more if they discovered that now the regional municipality of Sudbury is going to be dealing with those \$12 million of transition costs as well. Whatever savings there may be, certainly in the first couple of years they're going to be eaten up just paying for the costs that come by this government forcing amalgamation in my community.

With respect to French-language services, I can't tell the government how important this issue is. I can't stress enough how important this issue is. In our community, there were bylaws in place in four communities which provided French-language services to those whose first language was French and who wanted that at the counter when they came for service. The bill says that bylaws that were in effect will continue, but if you look at our area, you will see that the new wards are completely different from the old regional wards. You have wards that are now joined, where there is an anglophone population with a francophone population. How are you going to provide French-language services in those areas when the ward system—

**The Deputy Speaker:** The member's time has expired. Comments or questions?

**Mr John Gerretsen (Kingston and the Islands):** I would like to congratulate the member for Ottawa Centre and the member for Hamilton Mountain, who have spoken on this issue during the last little while.

I would just like to remind the people of Ontario that yesterday we received a letter that was addressed to the Minister of Municipal Affairs and Housing—who is in the House today, and I'm very pleased to see him here—from the Association of Municipal Clerks and Treasurers. They made it quite clear in their letter that this piece of legislation is not going to do at all what the government's aims and objectives are, that is, to make the process more accountable and to in effect make the situation a lot better for these citizens.

I quoted extensively from that letter yesterday, and I hope the government has learned from the experience they went through on the taxation bills, when again they didn't listen to the Association of Municipal Clerks and Treasurers and in effect seven different tax bills had to be passed before they got it right—if they were right. We'll probably see another tax bill fairly soon.

On the transition costs, let there be no mistake about it that in the Kingston area, for example, independent calculations have clearly shown that as a result of the amalgamation or annexation or restructuring that took place over the last couple of years, the city is still short anywhere between \$4 million and \$10 million. Representations have been made to the ministry, to the government in general, without any success whatsoever. So this notion that the government will cover the transition costs is absolutely bogus. They didn't do it in the Kingston area, where a bill wasn't necessary for this process, and they didn't do it in many other areas as well.

The final point I want to make is that municipalities should be formed as a result of communities of interest. Putting vast rural areas with urban areas and calling it a new municipality just isn't right. It's not in the tradition of Ontario municipal government.

**The Deputy Speaker:** The member's time has expired.

**Mr Doug Galt (Northumberland):** The presentation the member for Ottawa Centre made was interesting, but I'm sure the Liberals in the House this evening would be interested in knowing that the last phone call that I just took was from a senior citizen, a retired teacher who wants a copy of the Millennium Memento journal. She's quite enthused about it and wants to read literally every story that's in there. I'm sure the members of the opposition would appreciate knowing that's my mother. She is really quite interested in that book.

Getting back to the Fewer Municipal Politicians Act that is being addressed here, I have to go back to what was being said in this House and the kinds of questions, the lack of quality of questions from the leader of the official opposition, Dalton—I don't know who he is, because I haven't seen him in a long time.

His first statement was—

**Mr Gerretsen:** On a point of order, Mr Speaker: It has been well recognized in this House that we do not



comment on the absence of a member. I think what the member just said is totally out of order.

**The Deputy Speaker:** That is a point of order.

**Mr Galt:** I have to apologize to the honourable member for Kingston and the Islands. I had heard it being thrown to us so often from the other side of the House that I thought it was in order, so it just slipped out. My apologies for that.

Coming back, the leader of the official opposition—who I'm surprised isn't the leader of the third party; by luck he's still leader of the official opposition—was talking about splitting the bill into five. He was talking about things like 75 people being able to call a commissioner, knowing right well that the minister would have his rights and it would be the minister's decision. That was the kind of poor quality of question we were getting from the leader of the official opposition.

1900

**Mr James J. Bradley (St Catharines):** A question I would have for both members who spoke, latterly the member for Ottawa Centre, is whether they share my concern about some very undemocratic provisions within the bill which affect all of Ontario.

One provision gives the power to the cabinet to change any and every law necessary to accommodate restructuring without coming to the Legislature. The government, because it has a majority and is elected as the government, certainly is entitled to pass whatever legislation it sees fit. As you would know—I think all government members know this—contained within this legislation is that provision which doesn't allow any of you who aren't in the cabinet to have a say in the changing of any of these laws, which is extremely frightening legislation. I hope there will be members in the government caucus who will lobby to have that provision removed from the bill, because you will pass the bill, because you have the majority.

Second is a provision which gives any 75 people who sign a petition the right to overturn perhaps all the work that has been done by local people in trying to come up with a restructuring plan—because on an ongoing basis we've seen restructuring in many areas. What you could have is, in our area I would say 75 members of the Reform Party will get together and write a letter to the minister. They will say, "We want one big region, one big everything," because that's what they want: fewer politicians and all that nonsense. If the government wants to do that as a government, that's one thing. The government can propose that. Some may agree; some may disagree. But giving 75 people that right, to have a commissioner come in and throw out any other restructuring plan, is surely highly undemocratic.

**The Deputy Speaker:** The member for Ottawa Centre has two minutes to respond.

**Mr Patten:** I want to thank the members for their comments. I know they won't mind if I take a couple of minutes to say that there was a city council motion, part of which I read before, but I want to read it again,

especially for the member from Nepean and the member from Lanark-Carleton. It says:

"Be it resolved that the city of Ottawa reiterate our position that all assets and liabilities should be pooled, and if the legislation is not changed," then perhaps they would consider the following: "That in the alternative the city of Ottawa requests that the minister take into account the positive fiscal situation in Ottawa when preparing a regulation under section 14 of the act."

It goes on to make two suggestions: "That the new city should be required to apply any proceeds from the sale or lease of assets which were debenture financed to reduce the debt burden included in the calculation of any special tax rates for debt and that the new city should be required to include the value of assets brought to amalgamation."

Anybody who knows anything about accounting—and I don't profess to know all that much about it, but I do know how to read a balance sheet. You have assets and liabilities. I say to you that it's totally unfair to place the kind of burden that this legislation would impose upon the city of Ottawa, the residents and taxpayers of Ottawa, and increase their property taxes, when this was not their particular understanding; it certainly was not mine, when I stood for it, believed in it, promoted it and represented that to the commissioner.

The commissioner came through and made that recommendation. All of a sudden this government chose to ignore that particular recommendation by the commissioner. I find that totally disheartening, and I think at the end of the day the government will pay a price for this. It may look good for the member for Nepean, who proposed three different cities, but it's not allowing for fairness at the same time—and also for Norm Sterling, of course, who has the opt-out clause for Carleton West, but not any of the other townships. It's not fair at all.

**The Deputy Speaker:** Further debate?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** I'm pleased to have the opportunity to enter into the debate on Bill 25. People in Nepean-Carleton, the riding which I'm privileged to represent, are tremendously concerned about the reform of regional and local governments in our community. It is my responsibility and it's my great privilege to be their representative in this assembly.

I'm not Toronto's messenger to Nepean-Carleton. Rather, I'm an advocate for the hard-working taxpayers of my riding.

Throughout these discussions and indeed throughout my entire time at Queen's Park, I have always done my very best to forcefully and passionately represent my constituents' concerns and interests. When I first ran for election to this assembly, I made a number of paramount promises and commitments: that I would work very hard for taxpayers in my community; that I would above all try to make a difference; that I would do as much as one person could do. For the last four years, I have certainly done my very best to live up to those commitments. I can

think of no other issue where this is more the case than on the important issue of regional reform.

There has been a substantial amount of debate in our region, going back 30 years, on the structure of our local government. In 1976, the Mayo commission reported. In 1987, the Bartlett commission reported. In 1990, the Graham report was issued. In 1992, the Kirby report was issued. In 1994, the then provincial government of the day introduced and passed legislation. In 1997, there was a citizens' panel on local governance.

To a great extent, the first shoe dropped on this round of regional reform back in 1994, when the former government introduced the direct election of regional councillors, regionalized policing and a number of other services. There was substantial pressure brought about by those changes in 1996 and 1997 for the province to act. There was a substantial amount of pressure in 1998 for the province to act when my colleague the then member for Ottawa-Rideau introduced a private member's bill that subsequently died on the order paper. I would certainly invite my colleagues to check the record on exactly what I said during that debate.

All 12 municipalities in Ottawa-Carleton, including Osgoode, Rideau, Goulbourn and Nepean, the four municipalities which I'm pleased and privileged to represent, passed resolutions calling on the province to step in and take action. They said they couldn't solve the problem. They said they needed and they asked for the province to bring closure to this debate. I disagreed. We had two more years of local debate after those bylaws were passed. There is a growing consensus that the province had to act, that the debate and the relations between the upper and the lower tiers had deteriorated to such an extent since the last municipal election that I suspect in Ottawa-Carleton I was probably the last person to reluctantly—and I underline “reluctantly”—come to that conclusion, that the province had to act.

On behalf of my constituents, I fought very hard for a good process. The 90-day process to review the monstrous number of reports that had been issued and proposals that had been put forward by various municipalities and groups was the end of that process. One individual named Henry Mayo, who wrote the Mayo report, said, on the province's restructuring plan for Ottawa, in the *Ottawa Citizen* on August 23, 1999: “Ninety days? That's ridiculous. They should do it now.” I disagree.

My mayor in the city of Nepean, Mary Pitt, in response to a statement by the Leader of the Opposition, said: “The mayors have talked. We talked and we talked and we talked. I know that a facilitator can't do any more.”

So this government acted. We appointed a local person, someone with impeccable credibility, who I think got universal support, someone who, importantly—I was very strong on this—had never taken a position on the issue and could approach the issue fairly, a sharp man. I think everyone would agree that Glen Shortliffe doesn't suffer fools gladly. Over 90 days he met with all 12

councils, and spent more than an hour with each council reviewing the reports that some municipalities had spent even years preparing. He had two full days of public hearings, as well, in the rural part of the region. I believe he heard from every single person who wanted to personally present before him. He received more than 1,000 submissions. He received two proposals that I think had a lot of merit. The tri-city model was put forward by the city of Nepean. I have a synopsis, an overview here. That proposal was very well represented by the city of Nepean's mayor, Mary Pitt, by councillor Rick Chiarelli and by Bob Letourneau, the chief administrative officer.

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I think Nepean has done an outstanding job over the last 25 years. When other governments are struggling to come to terms with deficits and the effects of years and years of waste and wild spending, they are a municipality that is debt-free. They have the second-highest reserve per capita in the province. Many years ago Mayor Ben Franklin adopted a pay-as-you-go policy. That's something that people in our community, the Nepean part of our riding, are tremendously proud of. A good number of my constituents, and their member, liked this proposal.

With respect to the rural part of the riding, the four rural municipalities in Ottawa-Carleton, three of which I'm privileged to represent—Osgoode, Rideau and Goulbourn townships—came forward with the rural alliance proposal. It's a very well-put-together proposal. I've had a tremendous amount of dealings with Mayor Janet Stavinga and councillor Steven Lewis from Goulbourn. Mayor Glenn Brooks and councillors Don Stevenson and Rob Fraser from Rideau township, among others, did a lot of work. Mayor Doug Thompson and councillors Carol Parker and Dwayne Acres put in a lot of time and effort, among a large number of others.

I think it's a good proposal. Probably more than any proposal, the rural alliance proposal is costed out. Again, I have to say that certainly support for the rural alliance was not unanimous in the rural area but there was a substantial amount of support for it. I think it's a good document. I like the direction that it advocated.

A lot of people had a lot of strong feelings on this and perhaps no one more in Ottawa-Carleton than I. A lot of people whom I am privileged to represent in this assembly, and their member, were disappointed with the recommended direction outlined in Mr Shortliffe's report. I personally share that disappointment. The report, to be clear and candid, was not my first choice, nor was it my second choice. Some in my riding strongly supported its direction and I would be remiss if I didn't say that. Others, though, did not.

I would have preferred the direction of a three-city model advanced by the city of Nepean. I would have preferred the direction of the rural alliance proposal advocated by the townships of Osgoode, Rideau and Goulbourn. I want to be clear. People in Nepean-Carleton found the report of the special adviser, as he presented it, to be unacceptable. John Baird found it unacceptable.



I've talked with and heard from hundreds of constituents in Nepean, Metcalfe, Vernon, Richmond, Manotick, North Gower, Stittsville and Ashton. As I drove around the riding in my own car, because I don't have a limousine—

**Interjection:** Nor a driver.

**Hon Mr Baird:** Nor a driver—I met with the mayors of the four municipalities in Nepean-Carleton the day after the Shortliffe report was released. I took the concerns about the direction back to my caucus colleagues, back to my cabinet colleagues. Significant changes were made in attempting to address their concerns.

Mr Shortliffe recommended the pooling of debt, something with which I fundamentally disagree. People in responsible municipalities who have collectively taken pride in a pay-as-you-go policy shouldn't have to pay for the free-spending ways and big-spending politicians in the city of Ottawa. The city of Ottawa has the highest debt per capita of any municipality in Canada. It has not been a well-run municipality over the last 20 years.

I'd be remiss if I didn't say that the current mayor, Jim Watson, and deputy mayor, Allan Higdon, have really turned things around. For the first time, in the last two years the debt has started to go down. But nonetheless, that huge debt is there.

Mr Shortliffe recommended the pooling of reserves. Again, this was a real concern to constituents in all four of the municipalities that I represent, because in one of them they have the second-highest reserve per capita in the province and they didn't want to see that intelligent financial management be discriminated against.

**Mr Patten:** How much is it? Peanuts.

**Hon Mr Baird:** It may be peanuts to the Liberal member from Ottawa. We take great pride in the fact that we've been financially responsible in Nepean-Carleton.

The special adviser left the issue of area rating for taxes and even contemplated having a consistent tax rate across the region. In three of the municipalities in my constituency they don't even get public transportation services, and they shouldn't have to pay for them. Changes were made on that.

Another major change made was with respect to rural representation. We saw a substantial reduction in politicians right across the region, which I think is probably a good thing. But in the rural area, with its large geography, it was probably more acute. The region of Ottawa-Carleton is quite big. In fact, there are towns and villages in my riding which are closer to Brockville than they are to Ottawa. There is a ward, mostly in my riding, which is twice the size, geographically, of the city of Toronto. I fought very hard in caucus to get more representation for those rural areas, and there was a substantial departure from the Shortliffe report in that area.

I should say, going back to the whole issue of segregating reserves and debt, that that's not something new. I looked through information on various restructurings locally in the province of Ontario. In the city of Quinte west, in the county of Prince Edward, there were

specific provisions in subsections 12(4) and 12(5) stating that taxpayers should not avail themselves of the reserves of another municipality, so this is not something revolutionary or new.

I do want to thank my friend and colleague the Honourable Tony Clement, someone whom I have known for more than 15 years, for listening and for agreeing to major departures from the Shortliffe report. This bill is not perfect—as I've said, it's not my first choice—but Bill 25 is a major improvement from the report of the special adviser.

The issue of official bilingualism is one which has got a lot of attention in this place and in Ottawa-Carleton over the last number of days. Bill 25 contains a provision that maintains the existing French-language services offered not just in Ottawa-Carleton but in the lower-tier municipalities with significant francophone populations, and it maintains those policies in those geographic areas until a new city council makes changes, if changes are made at all. The status quo is maintained.

I hope and I believe that good-quality French-language services will continue to be offered. I think people in my constituency strongly support that.

**Interjection.**

**Hon Mr Baird:** The Liberal member from Ottawa says, "Yeah, right." The attempt of the official opposition to paint this in that sort of fashion doesn't give a lot of credit to the people of my constituency, and I resent that. I strongly resent that. I can say that people in Nepean-Carleton strongly support the provision of French-language services that are in place to serve our francophone population in Ottawa-Carleton, and for him to suggest otherwise suggests a very shallow and narrow-minded interpretation. He should be ashamed of himself.

Our belief is that the local municipality should make the decision. In 133 years, this assembly, the government of Ontario, has never mandated bilingualism. It has always been a local decision. The French Language Services Act, passed in 1986 in this assembly unanimously, with the support of the Conservative opposition and the New Democratic Party opposition of the Liberal government of the day, excluded municipalities for this very reason.

Je pense que la provision des services en français, la provision de bons services en français, est quelque chose qui était vraiment important pour notre ville, et je suis en accord avec M. Don Boudria, le chef parlementaire du Parti libéral à la Colline parlementaire, quand il a dit qu'il était sûr que le nouveau conseil continuera d'offrir des bons services en français.

The one issue which the overwhelming number of taxpayers came to agree on was that two-tier government had not worked in Ottawa-Carleton. Throughout these long and arduous discussions on regional reform, I've always worked very hard to forcefully and passionately represent my constituents, to tell the story of how in one municipality, the city of Nepean, a pay-as-you-go policy has worked and has benefited taxpayers, how this year they cut taxes in Nepean and last year they cut taxes in Nepean.

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We had a Liberal councillor from Nepean actually come forward and say: "Take the OMERS pension surplus and give it back. The government doesn't need it." It's so financially responsible that even the Liberals are fiscally responsible, a rather impressive area. It's a debt-free community and the citizens of Nepean take a tremendous amount of pride in that, and they should.

Our three rural townships, which I'm privileged to represent, have a tremendous community spirit. They have volunteer firefighters, people who make a contribution to their community. They have a tremendous fabric of community identity, whether it's the Lions Club or the Kiwanis Club, the volunteer firefighters or the historical societies and service clubs that really make those communities better places.

I've certainly done my very best to tell those stories and explain the strong positions and the strong feelings that people in my constituency have on this issue. I've worked hard into the last moment of this debate on this important decision. While this bill is not the direction I would have made my first choice, it is a better bill than the Shortliffe report envisaged. As I said, I've worked hard and I've done my best.

We've got major improvements on issues allowing the city council and then the province to look after segregating debt, segregating reserves, more rural representation and rural tax area ratings, something incredibly important for people in my constituency.

The momentum on this issue was incredible. I received a letter the other day, and I want to share a part of it:

"Dear Mr Baird,

"The one-city juggernaut now has a lot of momentum and probably couldn't be stopped by your government, even if you wanted it to be stopped."

Who said that? I got this letter from a regional councillor in my constituency, the regional councillor for Knoxdale-Merivale, Gord Hunter, the Liberal candidate who ran against me in the 1999 election, and I agree with him on this issue.

The rest of the letter says: "We should fight to segregate debt. We should fight to protect our reserve fund"—the exact thing the Liberal Party is fighting here today.

Regrettably, he's right, but we've got major improvements, major amendments to the Shortliffe report to make this report work better for the hard-working taxpayers in Nepean, Osgoode, Rideau and Goulbourn townships, and that I think is a good thing.

**The Deputy Speaker:** Comments and questions?

**Mr Patten:** I want to say to the member for Nepean that his fingerprints are all over this bill and it's quite obvious. He continues to miss the point. Nobody suggests that a municipality should be penalized for having been frugal in the past. The point is that the major assets are in Ottawa, with the size of their city hall, with Ottawa Hydro. None of those things will go to defray the taxpayers who have paid for these assets in the past.

Don't you get it? There are assets and liabilities. Do that calculation of their assets, subtract that from their debt and then spread it around and see the difference. It would be a heck of a big difference. That's all we're saying.

You're robbing all the assets and you're saying, "You've still got to pay for the mortgage, even though we've taken your city hall and sold it off and spread it around to everybody else." That's what I'm trying to say. If you were so committed to the rural areas, why didn't you let the rural areas opt out? I recommended to Mr Shortliffe to give the rural areas an opportunity to opt out and choose whether they wanted to buy services from the new municipality. But no. Norm Sterling was able to do that with West Carleton—only one out of the five. Isn't that interesting? So I see where his fingerprints are on that piece of legislation for Ottawa-Carleton as well. It's absolutely amazing.

I'm asking you: Are you prepared to allow us to see some amendments come forward that deal with a fair arrangement so that the people of Ottawa aren't going to give away all their capital assets and still be sitting there with a mortgage, even though they paid for all those assets? I would like to know if you will stand in your place and make sure that you respond to that question when you have a chance to respond.

Last year we could have had this passed with the bill from the member from Ottawa West, Mr Guzzo.

*Interjection.*

**Mr Patten:** The member says it died on the order paper. Sure it died on the order paper because your government didn't have the guts to pull it up. All they had to do was call it forward. The bill was there.

**Ms Martel:** I listened with interest to the comments made by the member and maybe I'll respond in this way: I heard him say that he thought the 90-day process was a good one. I guess I have a different view. In my community many people felt like they had a gun to their head and that there was no choice, that the government left them with no choice about what was going to happen.

There was a reason the city of Sudbury and the region had not gone to a single tier before, and that is that many people, particularly those who live in the outlying areas, don't want to be annexed, don't want to be amalgamated, like the communities that have a history of 80, 90 and 100 years and don't wish to become part of a bigger corporation which will now be called the city of Greater Sudbury.

The process for us was anything but satisfactory because your government made it clear that regardless of what the wishes of people in my community have been for many years, you were going to do what you wanted to do anyway. You were going to force those communities to amalgamate whether they wanted to or not. Clearly many haven't because there has been no unanimity with respect to that issue over a number of studies that have been done, because people in the outlying areas want to retain their communities, their history, their distinct cultural and linguistic rights.



Secondly, I can't for the life of me imagine why you wouldn't be opposed to the process that goes from here. You talked about all the work you did with municipal councillors. It's interesting to note that when the transition teams take effect, all those people, duly elected, get completely swept aside. It will be that transition team, accountable to no one, elected by no one in our communities, that will have full say over what goes on for the next year, with no opportunity for public input, with the locally elected people swept aside and with our community having the privilege then to pay for people we didn't even appoint or had no input into appointing in the first place.

**Mr Bart Maves (Niagara Falls):** It's a pleasure for me to comment on the member for Nepean's remarks tonight. I'm very proud to stand up and speak to those comments by the member because I am quite proud of the member, proud of the fact that the member opposite from the Liberal opposition said, "Your fingerprints are all over this bill." In fact they are, because as the member said in his speech, he worked very hard on this entire issue for the last couple of years. I know his efforts on this issue reached a fever pitch over the past three or four months. He spent a lot of time working with people in his own community, people from Ottawa and people in the government.

A commissioner's report came forward, after years and years of wrangling where nothing could be settled, and called for something which definitely wasn't this member's first choice. He got over that disappointment. He set to work within the government to try to make it a better bill for his community and the greater community of Ottawa, and I think he has succeeded in that.

I think that says something about this government, that a young minister in this government, in the third-biggest ministry in Ontario, could work within this government, could continue to pursue his convictions, could continue to disagree, in effect, with some of the things put forward in this bill and yet pursue his convictions without any negative ramifications. It speaks volumes about the freedom to express your opinion within this party.

I know of other parties where when someone expresses an opinion counter to that of the leader, they're booted out. Mr Nunziata is a good example. I think he still sits as an Independent who was booted out of the Liberal Party. That doesn't happen on this side of the House, and other members have the same freedom. I'm proud of that.

**The Deputy Speaker:** The member's time has expired. Comments and questions.

**M<sup>me</sup> Claudette Boyer (Ottawa-Vanier):** Il me fait plaisir de répondre au ministre délégué aux Affaires francophones. Je le félicite pour nous avoir démontré comment il croyait en son comté, comment il voulait aider son comté et qu'il travaillait pour ses commettants. Bravo, je vous en félicite.

Par contre, je ne veux pas vous parler comme députée pour le comté de Nepean. Il est temps que par rapport

aux francophones de l'Ontario, vous mettiez votre chapeau de ministre délégué aux Affaires francophones et répondiez à l'appel de la communauté francophone de l'Ontario.

Malgré qu'on demande le bilinguisme, je suis sûre que vous avez dit que le bilinguisme à Ottawa avait eu beaucoup d'attention. Ça va continuer d'avoir de l'attention. Même si ce projet de loi passe sans qu'on insère le bilinguisme, on va continuer à se débattre et on va pousser pour que, enfin, ce soit inséré. Si vous croyez vraiment aux services en français pour les francophones de la municipalité d'Ottawa, qu'est-ce qui vous fait si peur de vouloir l'insérer dans la loi? Pourquoi la ville de Cumberland, la ville d'Ottawa, la ville de Vanier et la Commission de la capitale nationale n'ont-elles pas hésité de pousser à ce que Ottawa soit une ville bilingue—non seulement une ville bilingue, mais que ce soit inséré dans le projet de loi?

Rappelez-vous que la communauté francophone à travers l'Ontario—non seulement à Ottawa—appuie les résidents et les résidentes d'Ottawa et toutes les actions entreprises auprès du gouvernement de Mike Harris et des politiciens locaux afin qu'ils reconnaissent officiellement ce statut, et de ce fait l'existence des deux langues officielles dans la capitale fédérale.

**The Deputy Speaker:** The member's time has expired.

**L'hon M. Baird :** Je voudrais remercier mes collègues les députés d'Ottawa-Vanier, de Niagara Falls, de Nickel Belt et d'Ottawa-Centre pour leur commentaires. J'apprécie les commentaires de ma chère collègue la députée d'Ottawa-Vanier. C'est bien sûr mon plaisir de travailler et de continuer de travailler avec elle dans sa responsabilité de porte-parole pour l'opposition officielle.

I say to the member for Ottawa Centre, I don't apologize for fighting for my constituents, for fighting for the hard-working taxpayers of Nepean and Greely, North Gore and Stittsville. The issues to which he takes such great exception are advanced not just by me, but by the two candidates of the Liberal Party in both of the Nepean ridings in and after the most recent provincial election campaign. So his own party in my community disagrees with him.

The city of Ottawa borrowed millions, they engaged in a spending spree, a spree of waste and wild spending, and they have to pay the bill for that, I believe. They should pay the bill for that. The good news is that Nepean comes with a whole host of assets, newer assets, debt-free assets, that have been to the benefit of the entire community, like the Sportsplex, like the Walter Baker Sports Centre, like the new city hall.

The member for Nickel Belt says, "You put a gun to their heads." I can remember being in a meeting where one of the mayors in Ottawa-Carleton said, "Minister, we want a gun to their heads." Who was that? That was the mayor of West Carleton, the Liberal candidate who ran against Mr Sterling, who said, "Minister, we want a gun to our heads." I said to this mayor, "I want amnesty on the murder charges."

**The Deputy Speaker:** Further debate? The Chair recognizes the member for Windsor-St Clair.

**Mr Dwight Duncan (Windsor-St Clair):** I believe we have consent for me to share my time with my colleague from Ottawa-Vanier.

I'm pleased to have an opportunity to address this bill. I want to address the points that have been made by the official opposition throughout, and there are 10 of them. I want to go over them. Let me say to the Minister of Community and Social Services, I certainly hope he doesn't get parole as a result of putting that gun to anybody's head. His abrupt about-face on this issue is most instructive in terms of how that government works, and displays the difference in characters of members over there, some of whom have been consistent in their views throughout, not only with respect to certain technical nuances but indeed with respect to the broader question. I applaud those who have not changed their views so rapidly or so dramatically, views that were so eloquently expressed in the past.

The first problem with this bill, from my perspective, is that it has that infamous sledgehammer clause, which effectively will take away the right of this Legislature, take away the right of parliamentarians. That's the clause, you'll recall, that says if it is necessary, in the opinion of cabinet, for effective implementation of this act, you can change a bill without a vote of the Legislature. That is an unprecedented piece of legislation, one that ought to give cause for concern to anybody who believes in and respects this institution and the institution of parliamentary democracy.

One of the concerns I have is the extension of the county commission restructuring process. Members will recall that this was part of the infamous bully bill, the omnibus bill, back in 1996. Like my colleagues, I voted against that bill for a whole variety of reasons, not the least of which was the notion that an unaccountable commissioner could be appointed by a cabinet that truly isn't accountable to go into a community and make recommendations for restructuring without the consent of that community, and indeed over the objections of the host community. I expect they will appoint a commissioner in Windsor-Essex, and I will oppose the appointment of that commissioner, as I opposed Bill 26 and as I oppose the forced amalgamation, the forced restructuring, of any municipality.

The third reason we are particularly offended by this bill is the 75 petitioners clause. That is the clause which will allow any 75 individuals to request the appointment of a commissioner, even if the local or host municipalities don't want it. If it's something the government wants and if there are 75 of the government's supporters out there, it could be imposed. That is another example of an unnecessarily undemocratic, unparliamentary power that's being bestowed without any kind of check or balance.

Another thing that I hope folks at home will note is that there are now restrictions put on municipal referendums. Municipalities have had the traditional right

to decide local issues through referenda. Bill 25, the bill before us today, which will have closure motions tomorrow to cut off debate, will allow the provincial government to restrict the terms and conditions of municipal referenda questions. So, for instance, in my community, if the town of Tecumseh wants to put a referendum question to its electors next year on the municipal ballot with respect to the question of annexation of Windsor, the province can prevent that. The province can say, "No, you can't vote on that." They might be embarrassed, the way they were in the megacity vote here in Toronto, if that were to happen.

Je veux dire quelque chose sur la question bilingue pour Ottawa. Dans le rapport de M. Shortliffe, il dit clairement que la capitale nationale de notre pays doit être bilingue, et pour la première fois ce gouvernement pourrait dire oui. Ce serait la meilleure chose. Ce serait la première chose : pour la première fois, que le gouvernement de l'Ontario recommande qu'une région soit bilingue.

That would have been a giant step forward. It was a missed opportunity. The minister says, "It's already there." That's cowering and hiding. A glorious opportunity was missed.

Let me read to you what Mr Shortliffe said:

"One of the most important issues raised during the public consultation process was the question of bilingualism. As noted earlier, more than 15% of the population of the new city will be francophone. Ottawa is also unique among cities in this province and country in that it is the capital of Canada.

"Our nation has two official languages .... The national capital must be reflective of the character of the country as a whole and must recognize the presence in its population of a significant minority of francophones."

You missed an opportunity to do something that, the minister is quite correct, hadn't been done before; that is, the recognition by this province that our second-largest city is in fact a bilingual city—une communauté de francophones et d'anglophones, notre capitale. Moi, je suis triste que le gouvernement ne fait pas quelque chose au sujet de la question du bilinguisme.

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The minister said approvingly, and this is our sixth point, that the bill does not include most core implementation recommendations from the restructuring special adviser reports. The bilingual question is but one in Ottawa, but there are others from the other affected municipalities. As my colleagues from Ottawa have noted, there has been a disparity of treatment among those municipalities affected, particularly in the Ottawa region. I know my colleagues on the government side from the Hamilton region have some concerns as well about those issues.

The seventh point we've talked about is the question of transition funding and the question of what is fair and isn't fair. Let me begin by reminding members and the public of what happened in the case of Toronto and Chatham-Kent. The government provided transitional



funding. That's an extremely important process, because if you don't provide for that up front, it could be a cost that will have to be borne by the local taxpayer in tax increases, because there are costs associated with municipal restructuring. The government acknowledged it in Toronto and the government acknowledged it in Chatham-Kent. In fact, if they had done in Ottawa-Carleton what they did for Toronto, Ottawa-Carleton would receive \$75 million; in Hamilton, approximately \$50 million; in Sudbury, \$18 million; and in Haldimand-Norfolk, \$11 million. They've done none of that.

There's the question of downsizing Toronto city council. I'm not a member from Toronto and I don't purport to represent those folks, but what is of concern to me and ought to be of concern to everyone in this province is the fact that the government can unilaterally by regulation in the future reduce yet again the number of those councillors. That ought to trouble anyone who is concerned with the way we conduct public policy in this great province.

There will be no public hearings yet again—five communities, major changes to the Municipal Act, and no public hearings.

As I indicated earlier—our 10th point—another omnibus bill, another bill that's forcing us to vote the same way, one time, on some very different questions. I regret that this government has chosen to use this instrument more often and on much more important legislation than any previous government. I regret that this government has used closure on more occasions than any previous government. That's truly sad.

This bill is flawed for those 10 reasons.

J'espère que le gouvernement peut comprendre que ces changements, particulièrement la question du bilinguisme pour Ottawa, sont très importants. Je regrette le projet de loi 25.

I hope we'll all learn lessons from this very undemocratic process.

**Mrs Boyer:** Thank you for the opportunity to talk about Bill 25, the Fewer Municipal Politicians Act.

I am quite disappointed that Bill 25 did not implement the Shortliffe recommendation on the bilingual status for the new city of Ottawa.

Comme l'a dit mon collègue de Windsor-St Clair, M. Shortliffe dans sa recommandation a bien mentionné que la question du bilinguisme a été l'une des plus importantes soulevées dans le cadre des consultations publiques. Il a dit que notre nation compte deux langues officielles, que notre gouvernement national, basé à Ottawa, offre de par la loi des services dans les deux langues officielles. M. Shortliffe a vu tellement une importance qu'il en a fait sa recommandation numéro 4, qui se lit : « Je recommande que le bilinguisme soit rendu et désigne la ville d'Ottawa officiellement bilingue dans les langues française et anglaise. »

Il a aussi recommandé qu'il advenait à la nouvelle ville d'Ottawa de dire comment implanter ces services. Si les territoires municipaux sont fusionnés, avec le résultat que les proportions d'anglophones et de francophones ne sont plus ce qu'elles étaient, les citoyens d'expression

française sont les mêmes qu'avant, avec les mêmes besoins pour les mêmes services. Il devrait donc y avoir les mêmes droits qu'avant et cela devrait être consacré dans la loi effectuant la fusion, plutôt que de laisser ça au gré du nouveau conseil municipal. Tout cela a une signification particulière, une signification nationale lorsqu'il s'agit de la capitale du Canada.

Franco-Ontarians are spread throughout the regional municipality of Ottawa-Carleton and deserve respect for their linguistic and cultural preferences.

As my colleague from Ottawa Centre said earlier, an Ottawa Sun published earlier indicates that 52% of Ottawa residents believe the new city should be bilingual. But it is important for members to realize that being bilingual does not mean, as the mayor of Ottawa has stated, that every employee must speak English and French. It means that services provided by the city are provided in French as well as in English, and only where warranted. In fact, the mayor has said that the city is already bilingual. If it is already bilingual, why don't we want to put it in the law, in this bill?

En effet, pourquoi s'opposer à la désignation de la ville d'Ottawa, du Canada, comme bilingue ? Pourquoi s'opposer à inclure une réflexion de la réalité dans cette loi ? Si la ville d'Ottawa est une région désignée par la Loi 8, pourquoi est-ce que le gouvernement a tellement peur ? S'ils sont tellement certains que la nouvelle ville va nous donner les services, alors, pourquoi encore une fois s'obstiner à ne pas vouloir l'insérer dans ce projet de loi 25 ?

Une des raisons est la désinformation. Les gens pensent que « bilingue » équivaut à une menace à l'anglais, que l'on protège le français au détriment de l'anglais, mais c'est faux. Que la ville d'Ottawa, la capitale de notre pays qui a deux langues officielles puisse offrir des services en français n'est pas une menace pour les anglophones. Ce n'est pas non plus une menace aux emplois, comme l'a bien souligné le maire d'Ottawa. Pourquoi est-ce que la ville de Vanier, la ville de Cumberland, la ville d'Ottawa et la Commission de la capitale nationale se sont tant pressées à se déclarer en faveur d'une ville bilingue, une ville officiellement bilingue avec deux langues officielles, le français et l'anglais ?

Aussi, la réaction du gouvernement de refuser des consultations publiques est aberrante. Refuser de consulter les contribuables, contribuables même qui subiront ces changements de structure ; refuser d'écouter les contribuables qui verront leur taux d'imposition changer sans qu'ils aient la chance de se faire entendre ; éliminer un processus démocratique faute de temps, tout bonnement parce que ce gouvernement tient à passer une loi défectueuse avant Noël, c'est insensé.

It's a slap in the face of everything this Legislature stands for and should stand for.

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This bill has numerous and serious flaws. Whole communities have protested against various aspects of the bill, be it the fact that the province will not cover the

cost of the amalgamation of municipalities, the fact that all assets will be pooled while debt will continue to be borne by the taxpayers of the former debt-ridden municipalities, or the lack of public consultation.

Je ne peux pas appuyer un projet de loi qui se veut tout et qui n'est rien. Ce serait une injustice aux contribuables d'Ottawa-Carleton ainsi que ceux de toutes les villes visées par ce mégaprojet de loi.

La nouvelle ville d'Ottawa se doit d'être déclarée bilingue par ce gouvernement. De quoi ce gouvernement a-t-il le peur ?

Entendu que le gouvernement ontarien s'apprête à fusionner les municipalités de la région d'Ottawa-Carleton pour créer une nouvelle grande ville d'Ottawa, et refuse de confirmer son statut de ville bilingue, la communauté franco-ontarienne à travers l'Ontario soutient toutes les actions entreprises auprès du gouvernement de Mike Harris et des politiciens locaux afin qu'ils reconnaissent officiellement ce statut et, de ce fait, l'existence de deux langues officielles dans la capitale fédérale, symbole de notre pays.

**M<sup>me</sup> Martel :** Je ne peux pas parler effectivement à propos des sentiments des francophones qui habitent à la ville d'Ottawa ou dans la région d'Ottawa, mais je dois vraiment exprimer quelque part les sentiments des francophones qui habitent tout près de chez moi dans la région de Sudbury.

Les francophones ont peur qu'ils vont voir une réduction, une perte des services qui sont offerts en ce moment dans leur propre communauté. Par exemple, dans la communauté de Rayside-Balfour, dans la communauté de Valley East, dans la communauté de la ville de Sudbury, puis à propos de la corporation régionale, il y a des règlements municipaux qui ont été passés depuis longtemps. Ces règlements municipaux disent que les personnes qui viennent à l'entrée du bureau, qui envoient de la correspondance à la municipalité, qui font des contacts par téléphone etc., peuvent recevoir des services en français, et que dans chaque région on va avoir des personnes en place pour être certain que les francophones peuvent recevoir des services en français.

Avec ce projet de loi il y a une crainte. Les francophones ont peur en ce moment que les règlements municipaux qui étaient en place depuis longtemps vont disparaître. Alors, c'est au gouvernement et au ministre délégué aux Affaires francophones d'assurer les francophones dans ma propre communauté que les règlements municipaux vont rester en place, non seulement pour cette année mais pour les années prochaines.

Avec ce projet de loi, il n'y a pas de mécanismes pour les pertes. J'espère que le gouvernement va tout de suite améliorer la situation.

**The Deputy Speaker :** The member's time has expired. Comments and questions.

**L'hon. M. Baird :** Je veux féliciter ma chère collègue la députée d'Ottawa-Vanier pour son discours.

Je vais dire comme député de la région, comme ministre délégué aux Affaires francophones, que la provision de bons services en français dans notre ville et dans notre région est bien sûr importante.

Dans le projet de loi—je vais lire la section—c'est à l'annexe I.

« 5(6) Les règlements et les résolutions d'une ancienne municipalité qui sont en vigueur le 31 décembre 2000 sont réputés des règlements et des résolutions du conseil municipal le 1<sup>er</sup> janvier 2001 et demeurent en vigueur, à l'égard de la partie du secteur municipal à laquelle ils s'appliquaient le 31 décembre 2000, jusqu'à leur expiration ou leur abrogation ou jusqu'à ce qu'ils soient modifiés à l'effet contraire. »

Ça veut dire que les provisions des services en français pour la région d'Ottawa-Carleton, pour la ville d'Ottawa, pour la ville de Cumberland et pour les villes de Gloucester et de Vanier restent en place.

Notre chef régional, Bob Chiarelli, dit qu'on aurait dû commencer au début du processus d'il y a 30 ans dans la région d'Ottawa-Carleton, et ce n'est pas le cas. Il y a une partie très spécifique dans le projet de loi pour protéger les services en français. Si le nouveau conseil ne prend pas de décision, le statu quo reste. Si le nouveau conseil municipal veut faire des changements, le statu quo reste jusqu'à ce point. Il y a beaucoup d'améliorations qui peuvent être introduites avec ce nouveau projet de loi pour assister les francophones dans chaque partie de la région, de la nouvelle ville.

**Mr Steve Peters (Elgin-Middlesex-London):** I'd like to take this opportunity to commend my colleagues from Windsor-St Clair and Ottawa-Vanier. One of the things they've recognized, that this government has failed to recognize, is the uniqueness of this province. You can't take a cookie-cutter approach to this province and make every place the same. Every place is unique. They have their own unique entities—the bilingualism that exists in Ottawa, the uniqueness that exists in the Windsor-St Clair area.

One of the very scary provisions that's in this piece of legislation is the amendments that are being made to the Municipal Act, and in particular the amendment that's going to take place to subsection 25.3(1) of the Municipal Act.

**Interjection:** Want to buy some millennium books?

**Mr Peters:** No, I don't need any millennium books, thank you kindly. I've sent them back.

One of the very scary provisions that's contained in this legislation is the amendments to the Municipal Act. I represent a county that has a separated city, the city of St Thomas. St Thomas and the county of Elgin developed their own restructuring proposal. They didn't need a restructuring proposal imposed on them by the provincial government. The local politicians got together and developed good local solutions, a made-in-Elgin-St Thomas solution. This is a solution that delegated services that the county would assume and look after on behalf of the city of St Thomas. The city of St Thomas accepted some responsibilities and they would look after those duties on behalf of the county of Elgin. The politicians in Elgin county and St Thomas got together and developed this local solution.



The scary thing about the provision of subsection 25.3(1) in this act is that 75 unelected people in the county of Elgin and the city of St Thomas could petition the Minister of Municipal Affairs and effectively dismantle a local restructuring proposal. That is wrong. The local elected officials are the ones who developed that proposal. Seventy-five individuals, for whatever reason, from whatever political stripe, who don't like the actions of a local council have that opportunity to dismantle it, and that's wrong.

What I think this government fails to recognize is that there are locally made solutions that can be achieved. You now are determined to impose changes and restructuring on municipalities, when municipalities have the capability and the expertise to make their own decisions.

**Mr David Ramsay (Timiskaming-Cochrane):** Representing a riding, Timiskaming-Cochrane, that has 33 municipalities, many of our municipal officials are just wondering what this government has in store for them.

These restructurings are really based on a false premise: that bigger is better and that having fewer politicians promotes massive savings for the taxpayer. I haven't seen any proof. We've seen the big one the government had first, Toronto. It has become a very expensive proposition. I haven't seen government work any better in Toronto than it had before with the six municipalities that made up Toronto and its regional government of Metro.

In my particular riding, 10 of our rural townships, with great goodwill, three years ago decided, "Let's take a look to see if there would be any efficiencies if we did get together." They put their best people forward, hired outside consultants and worked over about a two-year period of time to see if they could produce significant savings for their taxpayers, and quite frankly they couldn't.

Each of these townships in my area, about 36 miles square, has to have a grader and has to have a snowplow centrally located in those townships. You might be able to save one road superintendent and you might be able to save a few councillors, but all in all, when you look at it, you do not find the savings in those rural amalgamations and annexations.

I would say to the government that they should be careful when they put the gun to the head of municipalities, that this philosophy has not been proven. On the surface it may sound good but in reality it really doesn't work. As we've seen with the mega-boards, the school boards in northeastern Ontario, people are losing touch with their political representatives, and I don't think that's the way Ontario citizens should be living.

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**The Acting Speaker (Mr Tony Martin):** Response?

**M<sup>me</sup> Boyer :** Je veux quand même remercier mes collègues d'Ottawa Centre, de Windsor-St Clair, d'Elgin-Middlesex-London et ma collègue de Nickel Belt pour leur appui et leur croyance à confirmer que la nouvelle ville d'Ottawa se doit d'avoir le statut de ville bilingue ; et non pas seulement d'avoir le statut de ville bilingue,

mais pour comprendre que si c'est important pour le gouvernement, les services en français, c'est important pour la population, même anglophone, qu'on devienne une capitale nationale avec le statut de ville bilingue. Quelle est encore cette peur de ne pas vouloir l'insérer à l'intérieur de ce projet de loi ?

Je veux aussi répondre au député du comté de Nepean, le ministre délégué aux Affaires francophones : si tout ce que j'ai entendu ce soir de sa part, s'il croit vraiment à ce que dans sa recommandation numéro 5 M. Shortliffe a dit, que la ville se devait de mettre des mécanismes en place pour nous assurer qu'on ait les services en français et en anglais dans la nouvelle ville d'Ottawa, si vraiment mon collègue le ministre délégué aux Affaires francophones y croit si ardemment, pourquoi encore ne fait-il pas une recommandation pour que dans ce projet de loi on insère la recommandation numéro 4 de M. Shortliffe ?

I'm really glad to see that my colleagues who have spoken tonight are in favour of bilingual status for the national capital, the city of Ottawa, and I thank them very much. I hope the minister delegated to francophone affairs will think again, and if he really believes in francophone services, he will find a way to put in the law, please.

**The Acting Speaker:** Further debate?

**Ms Martel:** It will come as no surprise to members in the House this evening that I will be speaking in opposition to Bill 25. I want to give some general reasons for that this evening and make some specific references to schedule A, which is the section that deals with the new city of Greater Sudbury.

Let me begin by saying that I am very philosophically opposed to processes that lead to forced amalgamations, forced incorporations and forced annexations. That is very much how I view this bill. That is what this bill is all about. That is what it means for many people in my community. That is what it means for the seven communities that exist now and won't a year from now. That is what it means for two unincorporated areas which will now become part of the city as well.

I don't buy the government's philosophy that bigger is better. I listened to the member from Stoney Creek yesterday, who talked about, "What's in it for my community?" He's right. I have to say the same thing: What's in it for my community? I come from a community that is the smallest in terms of the ones that will be amalgamated in the new city of Sudbury. It is a community that has no debt; a community that has reserves; a community that has its own hydro commission; a community that has two arenas brought and paid for by the taxpayers in my community; a community that has two ball fields; tennis courts; two elementary schools, public and separate; an excellent public library; a credit union. It's a community where people have spent many years fundraising to meet the needs we have.

We have one of the lowest tax rates in the area. Certainly our hydro rates are the lowest with respect to the Hydro commission and the work they have done. So what's in it for my community to be swallowed up into a

much larger city? I don't see that there's much of anything in that. I don't believe we're going to get any better service. Our volunteer firefighting group is not going to become a permanent firefighting staff. Our emergency response team is not going to become a permanent emergency response team paid full-time. That's not going to happen. We know that. Those people serve the needs we have now.

So I don't see that incorporating, being annexed, being amalgamated, however you want to describe it, is going to do much. I don't think it's going to mean better service. I certainly don't think it's going to mean reduced taxes, and I'll deal with that later on.

I'm philosophically opposed because I think that people's ability to choose how they be governed is a fundamental right. How they choose to organize themselves, how they choose to be governed is a basic, democratic, fundamental right, and people should have the opportunity to have a say. Through this process, people in our community will not have a say. They have no vote. They have no public hearings with respect to this bill to have input. They have no way to have their voice heard in my community. But what I'm opposed to more in that respect is the fact that two communities will, through this bill, have a right to have their say, and I resent that a special deal has been cut for two communities in two Conservative ridings to allow that to happen.

I don't blame the folks in those municipalities. I'm sure they're very happy that the minister, under clause 36(3)(b) of this legislation, "may require a question to be submitted to the electors of all or any part of the municipal area set out in the regulation," and they may indeed, in West Carleton or in Flamborough, decide whether or not they want to be part of the new city of Ottawa or want to be part of the new city of Hamilton. But why is it that that same right is not afforded to everyone else who is affected under this bill, is not afforded to the 163,000 people who will make up the new city of Greater Sudbury?

I am opposed because this bill doesn't allow people to exercise a democratic right about how they are governed, but worse still, it allows a special deal for two communities in two Conservative ridings that will have that right. I say to the government, despite what you've done in Flamborough, your own member is going to vote against you anyway, so what did you accomplish, except to make the government House leader happy? It's a bad process. It's a bad way to do business.

I'm also opposed philosophically because the process of transition which flows from here is so undemocratic, is so unaccountable. I listened to government members yesterday talk about accountability and how this bill achieves it. I have to ask myself, did any one of those who made such a comment even read the bill with respect to the enormous powers of the transition team, with respect to the enormous powers of the minister, unaccountable in terms of the transition team, unelected in terms of the transition team, and in terms of the minister, the ability to pass laws without ever coming back here so that legislators can have some say?

I think it's worth my reading into the record some of the powers that the transition board and the minister have. Anyone who would listen to this could not possibly say that this had anything to do with accountability. Look at the powers of the transition board.

They will be in place to control the decisions of the old municipalities and the local boards that might have significant financial implications for the new city.

They will be responsible for developing the business plans for the city and the boards.

They will be able to "amend or rescind a contract (other than a collective agreement) ... between an old municipality and a person" who is a manager, "... a contract entered into after October 8, 1999," if the transition board thinks the compensation that was permitted is too high.

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They have the power to "establish key elements of the new city's organizational structure." They have the power to hire municipal officers and other employees of executive rank they consider necessary. They have the power to negotiate the terms of employment with that person, and the city is bound by the employment contract afterwards, even though the councillors who will be elected had no input whatsoever in the choice of those individuals.

The transition team can require old municipalities to submit reports of all assets and liabilities; of the names of all members and employees of the municipalities and boards, of their positions, their terms of employment, their remuneration, their benefits; and in doing so, the board can override all the provisions or any of the provisions of the Freedom of Information and Protection of Privacy Act and the Municipal Freedom of Information and Protection or Privacy Act.

In addition to all those powers, the bill also sets out that the transition board can also deal with any other regulation for the purposes of implementing this act. Anything else that needs to be done by regulation, by the transition board, will be done.

I think that is an extraordinary amount of power to give to people who are not elected by people in our community, who are not accountable to anyone in my community, who will make fundamental decisions about how our new community will be organized without any input from people who live there, who will take their direction from the minister and who will be appointed by the minister. And the local politicians, who have been duly elected through a legitimate election process, can be swept aside.

It's important to note that although the special adviser suggested that six current members of council be appointed to the transition board, there is nothing in the legislation that determines the composition. It will all be done by regulation, all be done by the minister. So there is no guarantee that anyone who has been duly elected will even have an opportunity to participate.

Second, let me look at the powers of the minister with respect to the finances of the new city. The minister can pass a regulation to force the city to raise or decrease its



tax rate on assessments in merged areas. The minister can pass a regulation to override any city bylaw passed and in place under this section. The minister can pass regulations to override any city bylaw passed under an area taxing power.

With respect to the transition board, the minister appoints the board by regulation, he designates the chair of the transition board, he determines the remuneration, the expenses of the board members; he determines their powers, their duties including their duties with respect to him, their duties with respect to the board itself and their duties with respect to the current municipalities and their local boards. The minister can deem the board to be a municipality, including a regional municipality, for the purpose of any act. The minister can authorize the board to issue guidelines. He determines all matters that relate to the procedures and the operation of the board. He in fact can even authorize the transition board to continue past January 31, 2001. Even after officials who have been elected for the new city are in place, that transition team can continue.

With respect to the powers in terms of trying to make sure that regulations that are passed, for example, will deal with any and all the provisions that might come, the minister continues to have very extraordinary powers that are set out, for example, in section 36. He can pass any regulation that will establish the wards. He can pass any regulation dealing with transitional matters that are necessary in his opinion. Finally, cabinet itself can pass any regulation that will provide for consequential amendments to any act that in the opinion of cabinet are necessary.

This government can go behind closed doors, pass regulations that change acts, actual statutes, and this Legislature never has to sit. That is an extraordinary new power that this government has taken in this legislation, and I resent that. It's a wrong thing to do.

Finally, I'm extremely concerned about the process for further restructuring, which I think is undemocratic as well. The mere fact that 75 people in a municipality can force restructuring is completely undemocratic. That gives 75 people the ability to do an end run around a legitimately elected council if they don't like that council's position with respect to restructuring. It seems to me that if they don't like that position, they should run in the next election and do something about it. But this government provides them with a provision now that allows them to do an end run around people who are democratically elected in a legitimate election, to force this government so that they can have their own way. I think, again, that that is the wrong way to be doing business. It certainly is anything but accountable and anything but democratic.

With respect to my specific concerns regarding schedule A, which affects the city of greater Sudbury, let me raise a couple of concerns. The establishment of the greater city, with respect to the municipal area, has two or probably three major problems. Let me deal with the first two in this way: It includes a number of unorganized

areas, communities, townships north of the current regional municipality boundaries, and in doing so, it has now managed to include the Wahnapiatae First Nation, which you should know, has already filed a legal and recognized land claim with the governments of Ontario and Canada.

I just received, and I'm sure the minister has, as well, a letter from the legal counsel from Wahnapiatae First Nation, saying that by being incorporated in this act, the government has probably—I don't want to use the word "defied," but maybe "defied" is the best word—defied constitutional and aboriginal treaty rights and has also certainly broken protocols that had already been signed between the First Nation and this government with respect to notification of very important provincial matters, and this certainly is one.

The law firm now for the First Nation has said that since there was no notification, since there was no discussion and no negotiation, this government had better sit down now and have a serious conversation with the First Nation before they find themselves in court dealing with a constitutional challenge and a challenge with respect to a diminution of aboriginal rights.

Second, the area that has been captured by this bill in the south end of the city causes the following problem: A number of townships have been included in the city, but there are also a number of townships that are side by side that have been excluded. These include the townships of Servos, Secord, Henry, Burwash and Laura. Their sister townships, Dill, Cleland and Dryden, have been included in the new city.

Here is the net effect of the division of the unorganized area: You have 70% now of the permanent residents in the unorganized area and 46% of taxable properties that go into the new city. The rest remain outside of the city boundary. The fire brigade, for example, now finds itself in the position of having most of its townships annexed to the city of Sudbury, but three remain outside; however, the township that has the fire hall remains outside of the boundary of the city of Sudbury. The fire marshal, who owns the equipment, has already said that that equipment will move to the city of Sudbury. So now you've got a fire department that will not have a fire truck and its fire hall is left in an unincorporated area. That's the first problem with that boundary.

The second problem: Because of the division that this government has made, you have one local roads board that has now been split. Three quarters of the Dill-Secord local roads board is now going to be in the new city of Sudbury and a quarter has been left out in the unorganized area. You have high assessment that's moved into the city of Sudbury and virtually no assessment left in the unorganized area. How will that local roads board ever continue to provide service under that scenario?

Third, with respect to the waste disposal site: Because of what was annexed and because of what wasn't, you now have the situation that most people who have been annexed under this law will now have their garbage

collection dealt with by the city of Sudbury, except those who are left behind do not make up enough of a population for the local contractor who now provides the service to want to continue.

Now we'll have the spectre that people who had a service in the unorganized area are going to lose this because most of their sister townships have been incorporated into the city of Sudbury and the local contractor doesn't have enough people left to make a living in providing the service to the people who will be left in the unorganized area.

So there is a serious, serious problem with respect to boundaries, both north of the region and south of the region. Of course, because the government doesn't want any public hearings and didn't leave room for that, we can't even pass an amendment to deal with those kinds of serious problems.

If I look at the question of councillors, the adviser made it clear that he was recommending a full-time mayor, elected at large, and 12 part-time councillors, two per ward in six new wards. It's difficult, as you read the legislation, to determine if the legislation means part-time or full-time. It doesn't say one way or the other. I'm going to assume that part-time continues to apply.

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I don't think that 12 part-time councillors in the new city will be able to effectively or adequately cope with all of the issues that will come with a new city of 163,000 people, a new city, I remind you, that is four times the geographic size of the city of Toronto. I don't think they'll be able to do that. What will happen? What will happen is a number of middle managers or senior bureaucrats will then be making all of the decisions that effect the new city. They will be unaccountable, they are unelected, and yet municipal councillors who are elected will have to take their recommendations and their advice on important matters because the councillors themselves will not have time to deal with the important issues that will come with the creation of the new city.

I think that's undemocratic. That certainly doesn't do anything for accountability. Acting on a part-time basis in a city geographically that large will mean less accountability with respect to decision-making and municipal politicians who will be unable to effectively and adequately do their work, as much as they want to, because they are only able to do it part-time.

Who pays for the cost of this transition? I said earlier that the minister, when he spoke to the Sudbury media, told them: "This wasn't a part of the bill. That's going to be dealt with at a later date." That's a \$12-million problem for our community that should be dealt with now. If the government had the intention of paying the transition costs, as the government did in Toronto, as the government did in Chatham-Kent, then the government should make that clear in this bill. What I'm worried about is that by not making it a part of this bill, surely down the road when this House is not sitting the government will then announce that all of those transition costs are going to be picked up by the four regions that are affected.

I looked to the bill to see if the government would be able to do that, and it seems to me that under section 36(3)(a) it says that a regulation can be passed which will, for example, force the city to undertake long-term borrowing to pay for operational expenditures on transitional costs, as defined in the regulation. So I think the government has put into the legislation the very regulation that they intend to use when this House is not sitting to announce to the municipalities involved that they will now have the pleasure of paying for all of the transition costs that will be involved in this amalgamation which has been forced on them. If the government wants to force amalgamation, then this government should pay for it. That shouldn't be an additional burden that we have to pay for in our communities.

Will this save money? I have heard the government say in my community this will save some \$8.5 million on an annual basis. We already know that the region's going to pick up the cost for the transition team 100%. I fully believe that we will be picking up all of the \$12-million transition costs before this is done, and I know that the government download on to municipalities is not going to end. Three weeks ago another \$56 million was dumped on to municipalities. We know that in the next two years the government plans to cut another \$600 million, and that will surely involve more costs downloaded on to municipal taxpayers.

Before we're finished, we won't see \$8.5 million worth of savings; we will see additional costs in community after community as a result of this download. I don't think we're going to save a cent.

In closing, I say I'm philosophically opposed. People have a right to have a say about how they're organized, and they don't have that right under this bill. I resent that, and I regret it.

**Mr Bradley:** I noted many of the concerns expressed by the member for Sudbury East, now Nickel Belt, and share those very same concerns. I was glad the member took time to mention the provision for 75 people to sign a petition which can, in effect, overturn any agreements that are reached locally.

I can think in my own area of one defeated politician who is now promoting one big region, and if these people in the local municipality said, "We've got a plan for restructuring we think will be helpful," and brought it forward, that could be thrown out the window if you got 75 signatures on a piece of paper, brought it to Toronto and had the provincial government impose one big region, for instance.

I hope members of the cabinet and members of the government caucus will look at that carefully and try to persuade the minister and the government to remove that particular provision, because I know the bill will pass. I'm not happy about its passing, but I know it'll pass. I hope you will remove that provision.

Second, the member mentioned the provision which allows the cabinet to change any law in the province of Ontario internally in the cabinet without consulting anybody else, behind closed doors and without coming to



this Legislature to make that change. I might disagree with some of those changes proposed, but at least I would like an opportunity to have them examined carefully in this House.

I'm also concerned about what the member has had to say about transition teams. It looks like the staff is going to be dictated strictly from Queen's Park, the favourites of the Ontario Conservative government will get all the good jobs and there'll be very little money in terms of transition costs to be met. So for the municipalities affected, this is not a good deal. I just hope government members will withdraw that one provision.

**Hon Tony Clement (Minister of the Environment, Stand in of Municipal Affairs and Housing):** I will confine my comments to the first section of that nomenclature and thank the honourable member for Nickel Belt for her comments on this important piece of legislation.

I wanted to assure members of this House and anybody who is watching that indeed there has been a great deal of consultation on this bill. There have been years and years of consultation in each of the municipalities affected by this piece of legislation. There have been public hearings, there have been consultative assemblies, there have been meetings of councils and there have been numerous reports written and received. The great tragedy of it all has been that, after all of that consultation, there had been no way that the municipal politicians were able to see how to get from where they were to a better place for their taxpayers and for their citizenry.

So they came to the government. They said: "Government, we need your help. Mike Harris, we need your help. We need your help to solve these issues because we cannot solve them just by ourselves." That was when we acted on behalf of the taxpayers. So the consultation did take place. I wanted to assure the viewers of that.

Indeed, the transition boards themselves are another protection for the citizenry and for the taxpayers. They are not some overarching group of despots. They are there to protect the taxpayers, they are there to protect the citizenry, to ensure that the assets of the municipalities are not wasted, to ensure that decisions that are made are specifically designed to protect the taxpayer, rather than to be a burden on the future taxpayer in those municipalities. Rather than being concerning items of the bill, these are things that protect the taxpayer and protect the citizen in both of those cases.

**Mr Gerretsen:** For the Minister of Municipal Affairs to stand in this House and to say in effect that the unelected bureaucrats that he is going to appoint on these transition boards are going to be more responsible and accountable than the duly elected politicians in each one of these municipalities is a real shame, because it shows you the regard in which he holds local government in this province. Apparently, he doesn't hold it in any regard at all.

But let me talk to you about something else, just very quickly. I'm quoting to you from a 1994 speech.

"There is no cost to a municipality to maintain its name and identity. Why destroy our roots and pride? I

disagree with restructuring because it is based on the belief that bigger is not better. Services always cost more in larger municipalities. The issue is to find out how to distribute services fairly and equally without duplicating services."

"Services always cost more in larger municipalities." Who said that? Mike Harris in 1994.

And what did one Jim Wilson say at that time? He said: "Bigger is not better. The government cannot point to an area in this province, including South Simcoe, where amalgamating departments has resulted in savings to the taxpayer. It does not exist. In fact, history shows that smaller units are more efficient. I to this day cannot find anyone in Tottenham, Beeton, Alliston and Tecumseth townships who likes restructuring."

These are two prominent members in the cabinet. As a matter of fact, all of this emanates from the same Mike Harris who made these comments in 1994.

They know it's wrong. I don't know why they're doing it. They can still bow out, if they want to, in a graceful way.

2030

**Hon Frank Klees (Minister without Portfolio):** I'm pleased to add my comments to this debate. We heard from the minister, who spoke about the extensive research and study and dialogue and discussion that had gone into the restructuring proposal that's before the House. I agree with the minister. I represent a riding in York region where deliberations have been taking place for some time over how we can make government more efficient and how we can streamline and how we can perhaps restructure or reorganize.

I was at a meeting just a couple of weeks ago where we had a panel of five mayors who were asked what their position is on restructuring of the region. What was interesting is that the position of these five mayors hadn't changed in four years. A great deal of study had been undertaken—individual municipalities did their own studies—and not one of them had moved from the position they were in four years ago. What does that show? It shows clearly, and it substantiates the position that the minister just gave, that left to their own devices they will never get on with the job of restructuring.

The process we have followed here may not be perfect—I have some concerns about it as well—but at the end of the day someone had to show leadership. Even the Leader of the Opposition said, I believe in the election campaign, "Elect me and it will be done in 90 days," and now he is flip-flopping again. So what is new with the Liberal Party? At least we're taking the initiative and we're getting the job done. I commend the minister for doing so.

**The Acting Speaker:** A two-minute response from the member for Nickel Belt.

**Ms Martel:** I thank those who made comments. I want to address myself specifically to the comments made by the minister.

The minister would have it stand on record that municipal politicians from my area came to the government

and asked Mike Harris to do something. Absolutely wrong. False. The regional municipality of Sudbury never came to this government and said: "Do something with respect to one tier. Force us to have one tier." If the truth were told, the chamber of commerce in the city of Sudbury has been advocating this for a long time and they had the government's ear. It was as a result of their lobbying and a number of other influential Conservative members in the community that this has happened.

It is false to suggest that the regional municipality came to this government and said, "Do something about restructuring now, please." The reason they didn't is because there is a difference of opinion which this government doesn't want to recognize. There are outlying communities that want their history to continue, that want their communities to continue, that have different linguistic backgrounds, different development backgrounds, different cultural backgrounds, that are proud of their communities and are not interested in seeing them disappear under what will become a new city of greater Sudbury. I believe that many of those regional politicians for many years have expressed the views of their citizens in that way. That was why there was no unanimity.

Yes, the government, by the sheer force of its majority, will have its way and we will have no choice but to be amalgamated or annexed into the new city of Sudbury. You will have your way. Do I think it's right? No. Do I think it's going to save any money? No. Do I think the process from here on in is going to be good? No. It's completely undemocratic, especially with respect to the power of the transition boards and the minister.

**The Acting Speaker:** Further debate?

**Mr Brad Clark (Stoney Creek):** I'll be sharing my time with the member from Scarborough Southwest.

*Interjections.*

**Mr Clark:** Mr Speaker, I would encourage that the opposition members respect my right to be heard in the House without heckling. I have not heckled anyone tonight. This particular issue is very important to my riding, and I expect to be heard.

*Interjections.*

**The Acting Speaker:** Order. The member from Windsor-St Clair and the member from Kingston and the Islands will give the member from Stoney Creek respect here tonight and let him speak.

**Mr Clark:** When I ran in the election I made it very clear that my constituents come first, and I stand by that. I stated very clearly and unequivocally throughout the campaign that I opposed the megacity, and I stand by that.

From July until November, I participated in five months of consultation with my constituents. I had meetings with the mayors. I had meetings with the city councils. I had five public constituent round tables, with hundreds of people participating. I sent mailers to every single household in my riding—every single household. At the end of it, everyone agreed they would like to see Glanbrook and Stoney Creek merged together as a united city. The reason was to prevent being swallowed and

annexed into the megacity. I made it very clear to every constituent I spoke to and every politician that they had to find a viable alternative to the megacity or that amalgamation train was going to hit them. I made it very clear, and I was proud of them: They came up with a solution. Eighty-five per cent of the residents in my riding supported the tri-city agreement; 93% opposed being annexed or amalgamated into Hamilton.

Therefore, when I stand in the House today—and it's not an easy feat to stand and speak against your government, nor is it an easy feat to vote against them—I am opposed to Bill 25 and will vote against it. I have no choice. My constituents come first.

The results of this bill for me in my community quite simply mean less government, more money. That's what it means. It means the loss of Glanbrook, a community which has virtually no debt, which has \$6 million in reserves, a part-time council. It means they're gone; Glanbrook is gone. The city of Stoney Creek: very similar situations, efficiently run. Both of these municipalities should be held up for accolades in Ontario on how to run efficient municipalities, but they weren't heard. The city of Stoney Creek has a historic name to it. It was the battle of Stoney Creek where the British soldiers fought back the Americans. We won that battle, but apparently we've lost this one.

Currently, the issue for us in this debate is representation. This particular proposal, as it is written, inevitably will mean that Glanbrook and Stoney Creek, the agricultural communities, will not have a voice. As it is written currently, these communities quite conceivably will have no vote on that council. I can tell you that I cannot recall the last time a Hamilton councillor spoke about an agricultural issue. So there will be no one representing an agricultural voice. Interestingly enough, we have total unanimity that this has to change. Every single politician in my community and every single MPP, to their credit—the members from Hamilton, Hamilton East, Hamilton Mountain, Wentworth Burlington, the regional chair, all of the mayors, all of the councillors—agrees that there has to be some equality in representation between the agricultural and urban centres, that there has to be some parity.

I urge and I implore, and if it would help I'd get on my knees and beg, the Minister of Municipal Affairs to provide us with better representation to the suburban communities. It has to be there. There needs to be some parity, and I urge him to deal with it. Either deal with it now in an amendment and add more seats for the suburban communities or turn around and redivide the 13 wards in the new city of Hamilton so that there is some parity with the suburban community. Either way, I can accept it; either way, it's vitally important to my community.

**2040**

We've heard an awful lot about identity and the loss of identity. I have to tell you that my constituents are very concerned about this, and I am too. I don't know what we can do about it. I have a letter here—and the member



from Kingston might be able to confirm this—from a constituent of mine who was travelling through your riding. It's stated in here that the township of Pittsburgh no longer exists in Kingston, and there's no sign. It doesn't say "Community of Pittsburgh, City of Kingston." It now says "Kingston East." Pittsburgh is gone. That was not the intention of the government, but that is exactly what happened.

Can you imagine the fear in Stoney Creek, a historic community? Can you imagine the fact that they fear the loss of the name of Stoney Creek? Something has to be done to ensure that does not happen, because quite clearly a city council has the autonomy to do it. Kingston demonstrated it. They did it. I don't want it to happen in my community.

**Mr Gerretsen:** They didn't do it.

**Mr Clark:** Clearly, they removed the sign. It was their decision.

**Mr Gerretsen:** No, it was a provincial sign.

**The Acting Speaker:** Order. This is the second time I've spoken to you in the last eight minutes, member for Kingston and the Islands. If you'd keep your comments at a level that doesn't interrupt and disturb the speaker, it would be appreciated.

**Mr Clark:** I have heard throughout this debate that this is about accountability and about efficiency. It's about, as the title says, fewer municipal politicians.

If we want to talk about accountability, I have some suggestions on how we put accountability back into municipal government. How about doing like the state of Michigan and enacting an open meetings rule, an act for open meetings, whereby if any public body, any municipal council, does not adhere to the in camera rules and closes the doors to the public on any issue illegally, each individual councillor who participated can be fined? In Michigan it's a \$1,000 fine for the first offence; second offence \$2,000 and/or 12 months in jail. They don't have problems with illegal in camera meetings. Why don't we do that to bring in accountability?

If we want to talk about accountability, why don't we change the Audit Act so that provincial grant recipients, like municipalities, can have value-for-dollar audits done by the Provincial Auditor? Let's find out what's happening in the municipalities, where they're spending money. I can come up with at least a half a dozen issues in Hamilton-Wentworth that I would like to see audited. I'd like to know where the money goes. Why don't we do that in terms of accountability?

In terms of accountability, here's another great one that I think is wonderful, was passed in this House in 1994, but it sits on a shelf: the Local Government Disclosure of Interest Act. This particular act was basically like the integrity act for MPPs but for municipal councillors, ensuring that they disclose income, ensuring that they disclose interest, allowing them the opportunity to talk to a commissioner of integrity to make sure they don't ever breach—that wonderful word—integrity. It's already passed third reading. It simply needs to be enacted. It's sitting there. The reason it didn't get enacted

is that an election got in the way after 1994, and some municipal politicians simply stated, "We don't make the same money as MPPs, so we shouldn't have that type of accountability."

Well, we've now created big cities. It's time that there's accountability in these big cities. If we want accountability and we want to talk about accountability, then these are three simple suggestions that we can enact that can make sure there is accountability in municipal governance.

Getting back to Bill 25, it saddens me that I have to vote against it. It saddens me that the tri-city model was not accepted. It bothers me immensely. But there's room to make some changes to help my constituents, and I want it said on the record that regardless of the changes, I will not support the bill. I've made it very clear to the minister and I've made it very clear to the Premier that my constituents, 83% of them, do not support it and I will not support it and I will vote against it.

**Mr Dan Newman (Scarborough Southwest):** I want to thank the member for Stoney Creek for sharing his time this evening with me. I rise tonight to debate Bill 25, the Fewer Municipal Politicians Act. It's a bill that deals with Ottawa, Sudbury, Hamilton and Haldimand-Norfolk. It also deals with the direct election of the chair in Halton region. It also deals with referendum questions, ballots in French for French-language school boards. But it also talks about reducing the council size in the city of Toronto, and that's what I specifically want to address the Legislative Assembly on tonight, because that has a direct impact on my constituents in the riding of Scarborough Southwest.

It was two years ago that Metro Toronto and its six member municipalities amalgamated through Bill 103. The new city to date has achieved many great savings by becoming more efficient and more accountable to the taxpayers, but there's still more to be done.

Prior to amalgamation, our government's original plan specified that beginning in 1998 Toronto would be governed by 44 councillors and one mayor, with new ward boundaries based on the 22 new federal-provincial boundaries.

As a transitional measure, we listened to what people said. They wanted more councillors. We changed the plan. The province then established a 28-ward model with 56 councillors and one mayor, originally 56 plus the mayor, for 57, and then there was a change made through a private member's bill to 57 plus one, for a total of 58. What's important to note is that Toronto council was actually given the power to reduce the number of councillors to a more manageable number.

When the new city of Toronto came to reality two years ago, on January 1, 1998, it quickly became obvious that the size of city council was a cause for concern for many citizens and for government officials. Even the mayor on many occasions has voiced his concern and frustration as to the large and unwieldy nature of the council and its inability even to get through a full agenda at council meetings.

Councillor Doug Holyday stated in the *National Post* on August 19 of this year: "This council is too large. We have completed our agenda only twice since the new city of Toronto was formed, even though council sometimes meets late into the night, and unfortunately, hurried decisions are often made to finish off as much of the agenda as possible." That's what Councillor Doug Holyday said.

As I mentioned, the 58-member council was always seen as a transitional step. It was never viewed, I don't believe, as viable on a long-term basis. In fact, the council of the city of Toronto as it now stands has more politicians than the Legislative Assemblies of Manitoba, New Brunswick, Newfoundland, Nova Scotia and Prince Edward Island. From the outset it was evident that the people of Toronto would be better served by a smaller, more streamlined council, not to mention the resulting tax saving.

I want to quote Councillor Holyday again, August 18, 1999, in the *Toronto Star*. "Council, because of its nature, is unlikely to ever downsize itself, so if this required reduction is to take place, it will have to be instigated by the province." How prophetic those words were.

In the two years following amalgamation, despite the obvious, Toronto council chose to play politics rather than to exercise its power and responsibility to bring council size down to a more efficient and manageable level. I ask the question tonight, do fewer councillors mean less representation? I guess it's the quality of the people they elect rather than the quantity. I had this discussion with a constituent last Friday, when we discussed the issue of reducing council size, and I told him that as an MPP who survived through redistribution when we reduced the number of MPPs from 130 down to 103, I still return his phone calls, I still return his letters. It's the quality of the people you elect rather than the quantity.

But I guess many councillors were just too busy on what they saw as higher priorities. I want to quote from a newsletter that was sent by a Toronto councillor recently to his community. "We've struggled over what the new city of Toronto flag will look like and unveiled the new Toronto police, fire and ambulance insignia." I think there's more to do than that.

#### 2050

Toronto taxpayers, including my own constituents in Scarborough Southwest, deserve the benefit of a smaller, more efficient and more accountable city council. Consequently, in the absence of proactive leadership on this issue at Toronto city hall, the government of Ontario is taking the necessary action on behalf of the taxpayers of Toronto. Even then, many municipal politicians continue to play politics and have remained unfocused rather than objectively supporting an obvious need that is in the best interests of their constituents. Even Mayor Lastman publicly criticized the size of council as recently as July 15 of this year. At that time, Mayor Mel, in referring to Toronto council, said in the *National Post*, "They're showing that maybe 58 councillors could be too many

because they're getting crazy." The mayor certainly does have a way with words. However, the mayor was also subsequently quoted, in the December 2 issue of the *National Post*, as saying that the proposed restructuring of Toronto council would be "the worst thing that could happen to the city of Toronto." The last time Mayor Mel said that, the city saved \$120 million from provincial restructuring.

Based on the mayor's prognostication track record, I would say the taxpayers of Toronto are in for even greater substantial savings and cost efficiencies. To be fair, lately the mayor has been too preoccupied with his "Vive le Toronto libre" ploy to see the obvious benefits of the current proposals. However, some Toronto councillors have put the welfare of their city and constituents above petty politics.

Councillor David Miller, you may know, Mr Speaker, was a former NDP candidate in 1996. He tried to succeed Bob Rae for the NDP in York South in 1996. He stated in the *Toronto Star* on November 30, "For me, I think they"—the provincial government—"for once have got it right." That's what David Miller, a former NDP candidate, said.

Let's hear from Tom Jakobek, the councillor for the eastern part of Toronto, the city's budget chief. He stated in the same edition of the *Toronto Star* that this is "the best news city council has received from the province this year."

I want to say that the government of Ontario has indeed led by example from the start. As I mentioned earlier, we've reduced the number of MPPs from 130 to 103. In my community of Scarborough, we've reduced it from six to five. We're saving the taxpayers of Ontario \$11 million per year.

Let's hear what Diane Francis, whom we all know is a well-respected financial editor and journalist, said on December 4. "The fact is the Ontario government of Mike Harris should be applauded and emulated because it is the first democratically elected regime in history anywhere that has reduced the size of ... politicians." That's what she said. I say it's time the taxpayers of Toronto received that same fairness.

A *Toronto Star* editorial on August 19 of this year said the following: "A leaner government would be more efficient, not to mention cheaper. Cutting council's numbers by almost half would save, by Holyday's estimates"—referring to Doug Holyday—" \$25 million over a three-year term of council." Twenty-five million dollars: That's a lot of money.

Toronto taxpayers paid out \$15.3 million last year to pay for the salaries of councillors and the staff salaries and office budgets of the members of Toronto council. Toronto council currently has 42,000 people per councillor. This is less than the elected representation of major cities such as Mississauga, Edmonton, Vancouver, New York, Chicago and 10 other cities in a comprehensive study of 20 major North American cities.

Only five cities in the survey, specifically, Montreal, Laval, Winnipeg, London and Ottawa, have fewer people



per councillor than Toronto. Salaries for Vancouver's council cost each citizen approximately 77 cents per person per year. In Mississauga the cost is about 74 cents per person. In Toronto the cost of city council, by comparison, is \$1.49 per person, and that's double our neighbours to the west.

I hear the members opposite. They are against this bill. I know they want to see council's size stay the same and they're pretty much in favour of the status quo. I just want to close by letting everyone know that a recent telephone poll conducted by CityTV/Cable Pulse 24 indicated that there was a four-to-one margin, that would be 80% of the people, in favour of reducing the size of Toronto's city council, and I agree with those people who took part in that poll.

**The Acting Speaker:** Comments and questions?

**Mr Gerretsen:** I want to start off by apologizing to the member from Stoney Creek. I did not mean to call you a name. I respect all politicians too much, and I take that back, sir, calling you a name. I apologize for that.

Let me just make it clear, though, that the Pittsburgh signs you were referring to in the Kingston area are MTO signs. It's the Ministry of Transportation that took the signs down, not the city of Kingston, sir.

I do agree with another comment you made. You must have read the Provincial Auditor's report this year because he specifically stated that over 60% of all the finances of the province are really transfer payments to various bodies and agencies—institutions such as universities, colleges, hospitals, municipalities etc—and he wants the power to in effect audit those numbers. He doesn't currently have that. I will certainly totally support you in that, and anyone else on either side of the House, to make that happen.

I think it's absolutely important that, if we're talking about the finances of this province, the Provincial Auditor, who is an independent individual, responsible to this Legislative Assembly and not to the government of Ontario, have the power to follow the dollars through. If 60% of those dollars are being transferred to agencies, then he should have the power to go after that.

There is one other point that I quickly want to make, and I see the Minister of Agriculture here tonight and I'm sure he will agree with me. It's a point that you've made as well and a point that I've tried to make: It simply doesn't make any sense at all to put large rural areas in with urban municipalities. What has defined municipalities over the generations in Ontario is the community of interests that people in certain areas have with one another. To mix large, urban communities with large-scale rural municipalities in the long run will be more costly to all the taxpayers of Ontario.

**Ms Martel:** I want to follow up on the comments made by the member for Scarborough Southwest, particularly with respect to the savings that are to be had when you get rid of politicians.

I've got to bring a bit of a reality check to this debate in terms of what that means in my community. The community I'm from has a grand total of \$42,000 worth of

fees for the politicians we have; \$42,000 is the sum total that is going to be saved by wiping out those councillors in my hometown. I know that \$42,000 is going to represent about three quarters of the new costs that we're going to pay a new middle manager under the new city when we have to hire more people in order to deal with all the things that will come about in the new city, which has a population now of 163,000 people and is four times the geographic size of the city of Toronto. That's what is going to happen.

I know it's going to happen because with 12 part-time councillors, two per ward, those councillors will not be in a position, as hard as they might try, to work adequately and effectively to deal with all the issues that will have to be dealt with in the city. They will not be able to do that. They will have no choice but to turn to the management in the new corporation to do all the work, to put recommendations forward that I fear in the end will be merely rubber-stamped by those new councillors. That's what I know is going to happen, because we've got part-time people who will not be able, as well as they might want to, to adequately do their job, especially in communities of interest than the current regional wards. You've got new wards, communities, in the city now that have no similarity one to the other, and they're going to have to cope with that too. I don't think there are going to be any savings here.

**Mr Galt:** I would really like to first compliment the member for Stoney Creek for an excellent, impassioned speech. I have some empathy for him—just a tremendous presentation that he made here—standing for his convictions as I really believe he should. He's caught between a rock and a hard place.

In this business of party politics, we work as a team and together as a team. There's a lot of debate in caucus and then we come out as united as we possibly can. Last term, in the 36th Parliament, we had one bill where we had some opposition from our own members. It's very difficult when you take a position like that and have to oppose a team, and I can really feel for this member here this evening.

I've been through a couple of issues of my own. The restructuring is rather sensitive in my area, but particularly the hospital restructuring, when the hospital in Port Hope was closed because of the HSRC directive that was made. That was a very difficult situation and a very difficult time for me.

2100

In this House I myself find it is good fun heckling back and forth. I had a little bit of respect come back as the member for Kingston and the Islands did stand up in his two-minute response and apologize, but it was a delayed apology. It should have been right on the spot, right at the time. Instead, he put his head down when you turned to him and he wouldn't apologize then, and he should have apologized.

Just how low can the Liberal Party go, when this man is feeling so distressed and speaking so passionately, and

you people heckle away when this guy is giving such an excellent presentation here. Have a little respect for your fellow human beings. Shame on you. Just how low can you possibly go when a person like this is making an impassioned speech? I'm extremely disappointed in a party such as yours performing that way, just as you did. Shame on you, shame on you, shame on you.

**Mr Bradley:** I am going to watch with interest as the member votes against this legislation again, but the real test will be whether he will follow the example of the member for Wentworth-Burlington, who has said, I believe, that he will resign his seat if this bill goes through.

I admire that stance. I heard somebody the other day say: "Oh, well, don't worry. He'll go home, he'll go back, and the people will say, 'Oh, please, Toni, stay,' and he'll relent and stay." I don't believe that. He's a man of integrity. He said he would resign if this bill went through and I admire him for that.

I'm wondering if the member for Stoney Creek will follow the example of the member for Wentworth-Burlington. He said this, to his credit, and again I want to give him credit for this: "I'm not going to cross the floor to one of the other parties. I was elected as a Progressive Conservative on a certain platform." I admire him for that because I don't think it would be appropriate to simply head to one of the other two parties when he was elected as a Conservative, believing I think in most of the things that the government stood for, including what Paul Rhodes told him and told you, and that was that there wouldn't be one big megacity.

So I'm wondering if the member for Stoney Creek will follow the example of the member for Wentworth-Burlington, who will resign his seat on a matter of principle because he truly believes that he has been betrayed and that this bill is a betrayal of what he ran for in the election campaign. We need more examples of that in this Legislature.

Lastly, I would ask the member if he's going to implore the Minister of Municipal Affairs and Housing if he's going to withdraw that provision whereby 75 people can sign a petition which can throw out any other restructuring plan in any other area of the province.

**Mr Clark:** I'm not going to resign, regardless of the outcome. The member for St Catharines shows absolutely no sense of decency in even requesting that.

I was elected to represent my constituents and I have every intention of fulfilling that election promise. Based on the analogy of the member for St Catharines, I would humbly suggest that if I were to follow through on what he's suggesting, perhaps the member for Hamilton East would have to resign because he supports the supercity but he's voting against it. Now, isn't that a betrayal of the constituents in Hamilton East? Likewise, if we were to go down that road, the same thing would apply to the member for Hamilton West—the same thing.

We were elected to the House to represent our constituents and I represent my constituents strongly. I'm an advocate for them and I've heard all of the rhetoric and

the advice from many people, saying, "They said to Brad, you know, this could be a CLM, a career-limiting move." I don't care. I don't care what the member for St Catharines has to say because he doesn't represent the people in Stoney Creek; I do, and I'm tired of your nonsense and your innuendo and your slander. You bring this House down. This is about my constituents and my community.

**The Acting Speaker:** Order. The member will sit. He can speak in that tone, but he can't accuse another member of innuendo and slander in this House. Would you withdraw, please?

**Mr Clark:** I withdraw those comments. But, Mr Speaker, imputations that fly across the floor in interjections, what are they, sir? What are they?

**The Acting Speaker:** Further debate?

**Mr David Caplan (Don Valley East):** I'll be sharing my time with the member from Glengarry-Prescott-Russell.

I'm very pleased to join this debate on behalf of my constituents of Don Valley East. I'm going to talk in two main areas: One is about what municipalities are going to be facing with restructuring, and the other will be what are some of the fundamental problems you have with the government's approach and the contents of this particular bill.

I would say at the outset that's often what's lost. You have government members who talk in very broad terms but are afraid to talk about what's actually in Bill 25.

I'd like to start off my remarks this evening by quoting Mike Harris. Mike Harris, in 1994, sat right over there and this is what he had to say. He was talking about the town of Fergus here in Ontario, and he said: "There is no cost to a municipality to maintain its name and identity. Why destroy our roots and pride? I disagree with restructuring because I believe that bigger is not better." This is Mike Harris in 1994, sitting right here in this House: "Services always cost more in larger communities. The issue is to find out how to distribute services fairly and equally without duplicating those services."

In fact, in 1993 we had Jim Wilson, the member from Simcoe, who said in this House, and I'd like to quote him as well: "I've spent the last several months reviewing all of the regional governments in Ontario"—and I take him at his word—"many of which were imposed"—by the Conservative Party—"in the past, so believe me, I come to this with some experience, and the south Simcoe experience to date. There are no cost savings." Mr Wilson said, "Bigger is not better."

Do you notice the parallel? Do you notice the commonality in the comments between Mike Harris and Jim Wilson that bigger is not better?

"The government cannot point to an area in this province, including south Simcoe, where amalgamating departments has resulted in savings to the ratepayer." Jim Wilson said this in 1993: "It does not exist. In fact, history shows that smaller units are more efficient. I, to this day, cannot find anyone in Tottenham, Beeton, Alliston or Tecumseth township who liked restructuring."



This is what Mike Harris and Jim Wilson had to say in 1993 and 1994 about restructuring. That was then, this is now. We're left to ask the question: Why did they take that attitude then and why do they seemingly have a much different attitude today? I'd like to expand upon that and try to answer that question for all members in this House. I know members of the public in Ontario, and I know those in Don Valley East, are listening to this debate and wondering the same questions.

Municipalities are looking for the money. I remember a very famous line in the movie *All the President's Men*. The advice to the reporters was, "Follow the money." That's what municipalities and municipal taxpayers have to remember here. The Shortliffe report recommended that monies be provided to the city of Ottawa, to Ottawa-Carleton, but in this bill the Harris government is providing no monies. They're not giving any guarantee of transitional dollars. When the amalgamation under Bill 103 occurred, Toronto needed transitional funding. This bill provides no assistance as it was provided to Toronto or Chatham-Kent. Toronto got an immediate grant of \$50 million and \$100-million interest-free loans in 1998 and 1999 to assist with the restructuring process. They certainly needed it. Chatham-Kent in fact received \$20 million to cover the restructuring process.

None of the municipalities affected in Bill 25 is receiving this kind of assistance. That is something that is really critical: Follow the money. Mr Harris and Mr Wilson, in opposition, knew what the purpose of these amalgamations was. It's a smokescreen to hide the downloading exercise which is taking place, because when you have smaller municipalities, they don't have the tax base available to them to be able to absorb the costs. The Harris government's intention is to broaden that base, to make larger cities, larger entities, so they can force more costs on to municipal taxpayers and take it off provincial books, like the cost of ambulance, cost of social assistance, cost of social housing—and that's an interesting one.

**2110**  
We learned today that there is very good reason for the people of Ontario to be very concerned about the downloading of social housing on to municipalities. Look at what has happened. The provincial government has entered into an agreement with the federal government. They've received \$525 million to cover the costs of the existing social housing infrastructure. They spend \$440 million, so that leaves \$85 million in "savings."

Where are those savings? Are they going to the municipalities where the costs are being off-loaded? No, Mr Speaker, they're not, and I know you wouldn't be surprised but I think that members of the government should be. I know they want to represent their constituents, their taxpayers. Whether it's a federal-provincial or municipal issue, they want to represent their taxpayers. You see, we have a provincial government which is skimming those dollars off the top. In fact, of that \$85 million, \$50 million is being committed by the government—with no consultation, by the way, with the

municipalities—and \$25 million, contrary to their own agreement, is being taken for provincial cost restraint, and we all know what that is; that's simply code for budget cutting. Another \$10 million has disappeared down the black hole.

It's even beyond that: \$58 million was transferred from the federal to the provincial government to cover the cost of future risk for these housing projects.

*Interjection.*

**Mr Caplan:** I know the minister is very concerned about this. You would think that when municipalities like London and Kitchener, where the mayor of Kitchener calls it a ticking time bomb, are going to have to absorb these kinds of costs, these kinds of risks—yet the provincial government is skimming the dollars. It was called piracy by the city councillors in Toronto, and that I think is a very good characterization.

The region of Peel did a technical audit on their housing stock. What did they discover? For the region of Peel it would take \$57 million just to hold them even. They projected \$1 billion in costs that are being shoved on to municipalities by the Harris government. That is the reason we are having these amalgamations. That is precisely the reason this government is so intent on rushing and pushing this legislation through as quickly as possible.

In that headlong rush to download those costs, to leave municipal taxpayers holding the bag, this government has abandoned its responsibility. This government has taken an incomprehensible attitude. It's the only one in Canada, in fact in the known free world, to my knowledge, that has taken this kind of attitude. The government's record on downloading to municipalities is certainly not good.

I want to talk a little bit about the nature of the bill as well. This is of course an omnibus bill, as many bills are, and it contains various provisions. It deals with five separate municipalities, but also Waterloo and Halton and certain other measures. I would like to talk about that and give it a bit of separate attention.

There certainly has been no consultation in regard to this bill, and that's right in character with how this government operates. Municipalities were not consulted on the transfer of social housing, on welfare, on ambulance, and on all those other things, so I'm not surprised that this government is even abandoning the meagre commitment from the Premier to hold any public consultation about Bill 25.

You have to talk about what the impact is, and the municipalities are aware that in Bill 25 the Minister of Municipal Affairs and Housing has given himself unlimited power. I would like to read section 37(1):

"The Lieutenant Governor in Council may make regulations," and this is under (b), "providing for consequential amendments to any act."

Not any act that's covered by this bill, but any act that in the opinion of the Lieutenant Governor in Council is necessary for the effective implementation of this act; clearly dictatorial powers to cover their tracks, to cover the fact that they're downloading costs on to municipi-

palities. The people of Ontario should be worried about that type of arrogance, about that type of ability, unlimited power in the hands of very few people.

I will be opposing this bill, and I would urge all members of this House to oppose this bill.

I'd like to give time to my colleague from Glengarry-Prescott-Russell because I'm sure he has some very insightful comments.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** Today I come before this House to present my views as well as those of thousands of Ottawa-Carleton residents on Bill 25, the municipal restructuring act.

This government spent a substantial amount of money on hiring a special advisor, Glen Shortliffe. Mr Shortliffe had consultations with existing municipalities, the public and other interested groups. The pretext of gathering this information was that this information was to be analyzed by the special adviser and then a report prepared for consideration in drafting this legislation. It appears that this government has either purposely omitted sections of the report or thought that what the people of Ottawa-Carleton told them wasn't important enough to be included in this bill.

This is democracy? I don't understand what this government is trying to do to Franco-Ontarians. Ignore them? Do you think they will go away? You are easily fooled. They are now more committed than ever. They are here to stay.

Les Francos-Canadiens sont déterminés. Nous allons nous battre et nous vaincrons. Nous allons gagner cette bataille pour sauvegarder notre langue, le français.

In the Shortliffe report, after carefully considering the views of the people who took the time to meet with him, Mr Shortliffe made 44 recommendations. I want to stress that recommendation number 4, not number 44, was that the enabling legislation establish and designate the city of Ottawa as officially bilingual where warranted.

He also stated in his report that one of the most important issues raised during the public consultation was the question of bilingualism. More than 120,000 people of the new city will be francophones.

He goes on further to state: "Our nation has two official languages. Our national government, centred in Ottawa, operates by law in two official languages. The national capital must be reflective of the country as a whole and must recognize the presence in its population of a significant minority of francophones." He also stated that, "Having made this recommendation, I consider that it should be left" to the new city of Ottawa "to determine the scope and nature of services to be delivered bilingually." This seems to be pretty clear to me. So what do you do? Disregard recommendation number 4?

It is not only out of disrespect for francophones that the Harris government does this. On page 20 of the report, Mr Shortliffe states, "I repeatedly reconfirmed my position that I would function in a manner similar to a 'judge.'" Now, we know this government does not have a lot of respect for judges. In fact, Minister Sterling told reporters that he has concerns about judicial interference

in the legislative process and that the roles of politicians and benches need to be clearly defined. Maybe he should have told Mr Shortliffe this prior to his acceptance of the position. Perhaps he would have looked on his role in a different manner. Whatever the explanation, the decision has been experienced by many Franco-Ontarians, by thousands of Canadians, as a slap in the face.

2120

The Ontario government's claim that they do not want to interfere with local democracy, that it is up to the residents of Ottawa to determine language policy, rings hollow. The government showed no reluctance when it came to allocating the debts and assets of the existing 11 municipalities.

On the contrary, this legislation proposes that all citizens of the new city share the city of Ottawa's assets, while taxpayers in the existing city are alone responsible for the accumulated debt. If this isn't meddling, what is? Harris's refusal to declare the region bilingual means to many Franco-Ontarians that they are not welcome here, or they must struggle once again for rights everyone else takes for granted. The fact that this government is appealing the court decision on Montfort only adds fuel to the fire, and believe me, this thing could blow up.

This legislation could undo all the progress made by Franco-Ontarians on language rights. Probably that is what this government wants. If cost is the issue, Mr Shortliffe concluded in his report that making the new city officially bilingual should involve no additional expense since most municipalities are already offering some services in both languages.

At this time I am asking this government to take another look at this issue. Francophones are not asking for any more than they already have, but let's play fair. I can only say, be careful. Take another look at the legislation. Think about what you are doing to the francophone community. If you can allow a referendum in Flamborough, which is in Mr Skarica's riding, surely you have enough respect to listen to the people of Ottawa-Carleton and how they feel about being a bilingual city. I beg of you, bring forth an amendment on this legislation. Let the new city of Ottawa continue to function, as it has now for years, in peace and harmony.

Look here, not only has Vanier passed a resolution saying they want a bilingual city, but I have here a copy of a resolution from the city of Cumberland, which is part of my riding, and the riding of Carleton-Gloucester, stating they also want a bilingual city. As a matter of fact it is the former mayor of Cumberland who is now sitting, representing Carleton-Gloucester.

Mr Shortliffe also stated he had great concern about the rural area. I also have concerns, as my riding is part of this rural area, and I am convinced that these rural areas will either have to raise taxes or attract more development. This will create urban sprawl, and valuable agricultural land will be lost. It is particularly important that rural residents know their views are being recognized in the governance structure of their new city.



Mr Shortliffe tried once again to provide for protection of the rural area in recommendation 13, stating that for the first term rural matters be especially addressed by the rural affairs standing committee. Votes in the rural affairs standing committee would be established at 8; four urban councillors would have four votes and two rural councillors would have four votes.

I have reviewed the bill in detail, and once again this government has not taken this recommendation into consideration, leaving the rural communities unprotected. It appears to me they have a very specific agenda in mind, and that is to get this bill in place as quickly as possible, with no public hearings, even though Mr Harris stated in this House on December 6, "We will have an opportunity, even after 25 years of discussion, for yet more public hearings because we on this side of the House are committed to having public hearings on this legislation." Who is doing the flip-flop now? Mike Harris.

I ask this government one more time: Bring forth some amendments on this bill. Listen to the special adviser and to the people of Ottawa-Carleton. Let's do it right for the people.

**The Acting Speaker:** Comments and questions?

**Ms Martel:** I want to follow up on comments made by the member for Don Valley East with respect to the quite extraordinary powers that are present in the bill. I spoke earlier about the powers of the transition team and the minister himself, and I think those changes are extraordinary, but there are two other areas in the bill that are worth mentioning here again tonight. One that the member mentioned is that the government can, by regulation, pass any consequential amendments to any other act without this Legislature even sitting. The second is that in the event of a conflict between a regulation which is made under this act and a provision of this act or any other act or any other regulation, it will be the regulation itself that will prevail. That is a fundamental and complete change from anything we have ever dealt with in this House. I don't just say that myself. It's worth quoting again the opinions of three constitutional experts who have had a chance to look at this, and that final clause in particular, because it hasn't been done tonight.

"Ed Morgan of the University of Toronto law faculty and expert in constitutional law" said: "The cabinet is not above the law. This says the cabinet is the law." Joseph Magnet, who is a constitutional expert and "teaches law at the University of Ottawa," says that if the bill is passed in this form, "the Legislature may itself be acting illegally by unconstitutionally delegating to the cabinet its authority to make laws." Finally, "David Elliott of the Carleton University law faculty ... calls" this section and this clause "astounding and extraordinary."

The government's response was interesting. One of the minister's political staff—I believe that's who she is—Ms Karen Vaux, said: "This is just a bit of an expansion from clauses that have existed. It's not a new concept by any means." I don't know when Ms Vaux

became a constitutional expert, but if I have to go with the sentiments of anyone, I'm going to go with the three who teach law and who are constitutional experts. This bill goes far beyond anything we have seen. For that reason alone we should vote against it.

**Mr Wayne Wettlaufer (Kitchener Centre):** It's very interesting to hear the members of the opposition talk. I want to point out that the Liberal leader during the campaign just completed in June campaigned on the issue of restructuring. That was one of his big issues. Now they're turning around to the other side.

In August he said: "There has to be here in eastern Ontario a large urban centre if we're going to compete with the likes of Toronto. We'll never be able to do that if we break up into three cities. It's time for the region to come of age." He said that and he was quoted in the *Ottawa Sun* on August 25, 1999.

Then: "We have to look at the province of Ontario and the large economic centre of Toronto. We have to develop a critical mass here in eastern Ontario so we can weigh in and be seen to be competitive to investors both in the province and nationally. To do that we have to have one city." Who said that? Dalton McGuinty. He was quoted in the *Ottawa Citizen* this time, on August 25.

The member for Don Valley East said that we weren't going to provide any transitional funding. Just because that wasn't in the bill doesn't necessarily mean that there's no transitional funding available for these municipalities. There is never anything in the bill saying that. We have said we would consider that.

Insofar as the bilingual issue of Ottawa is concerned, that is a bit of a red herring. For 130 years that has been a municipal issue. Language is a municipal issue, or a federal issue, if you want, but it is not a provincial issue. If the Liberals try to come into Waterloo region when we restructure and try to mandate bilingualism, they're going to have a fight on their hands with me.

The only thing wrong with this bill is that Waterloo region isn't included in it. I have hundreds of requests from constituents in Waterloo region advocating restructuring, some advocating two cities, some advocating one city. We need it.

2130

**Mr Peters:** Thank you, member. Don't wish for it, because you're going to get it. You know that your government is going to impose it.

One hundred and fifty years ago, the Baldwin Act created the county structure of government in this province. Your government is bent and determined to dismantle the county government system across this province. I'm not against change, but I'm against change when it's imposed on people.

Change is best when it comes from the ground up, when the local politicians are part of the decision-making process. You've got this attitude that bigger is better. I can tell you that bigger is not better, because what you're doing is taking the control from the democratically elected people, those who are elected by the people to

serve the people. You're taking it away from them, and what you're doing is creating new bureaucracies.

These bureaucracies are not going to save money; they're going to cost more money. What's worse, though, is that it's going to put the power into the hands of individuals who are not elected, and that is very dangerous; the fact too that you didn't go to the public after you introduced this legislation. You had your commissioners out there doing their thing. You drafted the legislation. You didn't give the public an opportunity to comment on that legislation. That's very wrong to do that, because it's incumbent on us, as we bring forth legislation, that the public has an opportunity to have some input into that legislation. You have total disregard for that.

*Interjections.*

**Mr Peters:** You talk about heckling. Gosh, you can't even get a word in edgewise. You don't have any respect for what other people have to say. I think what you're doing is running roughshod over the citizens of Ontario, and the citizens of Ontario had better be very concerned over the direction in which this government is going because this is just the beginning of the demise of rural Ontario.

**The Acting Speaker:** The member for Brampton Centre, if he wants to give a speech, he'll have an opportunity to do a two-minute response. I prefer that you not go on and on and on.

Further comments and questions?

**Mr Bradley:** I want to compliment my colleague from Don Valley East and I want to compliment all who actually have contributed to the debate this evening. I remain very concerned about a number of provisions of this bill; first of all, the fact, as I think our members have pointed out appropriately, that it's an omnibus bill and doesn't allow individual members of the Legislature to deal with individual municipalities. They're not all the same. They should be considered independently so that people can make a pronouncement on one or another. I think that's most appropriate.

Second, I want to say that I'm very concerned, and I know that the Minister of Community and Social Services, who's under a lot of heat in his own riding over this, would be concerned. Members of the cabinet alone, and not his colleagues outside of the cabinet, will have the power to change any and every law of the province of Ontario to accommodate the restructuring that will take place.

I wonder how many editorial writers, even of the right-wing press, know that you have vested in yourself this power. I wonder how many know, for instance, that only 75 people in a region, the constituency association of York-Mackenzie, for instance, would be able to get

together and scuttle any restructuring plans that might be forthcoming from that area.

*Interjection.*

**Mr Bradley:** That is Oak Ridges now, he points out, most appropriately. That is most disconcerting to anybody of good will, the absolutely immense power that the transition team will have in terms of appointing all of the people who are going to run the local government, instead of having people locally make those decisions.

By gosh, the Conservative Party used to be the party, whether anybody liked it or not, which could lay claim to being the party that best recognized the needs of local government. We're a long way from that today, with a few exceptions on the government benches.

**Mr Caplan:** I'd like to thank the members from Nickel Belt, Kitchener Centre, Elgin-Middlesex-London and St Catharines for their comments. The member from Nickel Belt is quite right: The bill contains several extraordinary powers. She has highlighted some; I have highlighted them; the member from St Catharines did.

There was one that we haven't talked about which gives the Minister of Municipal Affairs and Housing the ability to override any municipal ballot referendum question. There is an irony to that, where we have this minister who claims to be a proponent of referenda, and he now wants to be the sole arbiter and judge. A locally elected, democratically accountable municipal council can no longer put anything on a municipal ballot that this minister doesn't agree with. So if they want to ask about hospital restructuring, if they want to ask about municipal downloading, if they want to ask any conceivable question that may be of interest to people in that municipality, this minister can say no. Is that a democratic power?

I remember the member for Scarborough Southwest got up and talked about the composition of the Toronto city council. In this bill, the minister has given himself the ability to override the city bylaws as they relate to size or ward boundaries, without any consultation process at all. In fact, it's a unique process to the city of Toronto. It is vindictive in nature, it is punitive in nature, because somebody had the guts to stand up to this government and say: "No, we're not going to take it. You've downloaded your responsibilities, you've off-loaded the costs, you've run roughshod over the municipal taxpayers." This is payback.

This minister and this government have decided to give themselves extraordinary powers, unheard-of powers over provincial legislation and over municipalities. The way things are run in this province, it should be vehemently opposed.

**The Acting Speaker:** It being past 9:30 of the clock, this House stands adjourned until 10 tomorrow morning.

*The House adjourned at 2137.*



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des débats  
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**Thursday 16 December 1999**

**Jeudi 16 décembre 1999**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 16 December 1999

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 16 décembre 1999

*The House met at 1000.  
Prayers.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### AMBULANCE AMENDMENT ACT (MINIMUM READINESS), 1999

#### LOI DE 1999 MODIFIANT LA LOI SUR LES AMBULANCES (DISPONIBILITÉ MINIMALE)

Mr Lalonde moved second reading of the following bill:

Bill 29, An Act to amend the Ambulance Act to provide for the minimum staffing and equipping of ambulance stations / Projet de loi 29, Loi modifiant la Loi sur les ambulances pour assurer la dotation minimale en personnel et en équipement des postes d'ambulances.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I am pleased to have the opportunity to discuss in this House Bill 29, An Act to amend the Ambulance Act to provide for the minimum staffing and equipping of ambulance stations.

For those of you who live in large urban areas and have ambulance service 24 hours a day, this bill may seem unimportant, but to many people in rural areas it is a matter of life and death. Imagine what it would be like if your kid, your wife, your husband or your partner was hurt in an accident or was in a life-threatening situation and there was only off-site ambulance service at your closest ambulance station.

I have here a list which was prepared in January 1999 for eastern Ontario region 4, approved ambulance coverage. There are only two towns on this list, Alfred and Rockland, both of which are in my riding and both have service only five days a week, leaving the weekend with off-site service only. All we are asking for in this bill is ambulance service seven days a week, with a minimum of 12 hours a day, which is still less than many other parts of Ontario.

The Rockland ambulance station serves over 27,000 people in rural areas spread over at least seven villages and one city, as well as a large farming community. Alfred serves over 10,000 people, covering seven villages as well as, once again, a large farming community.

This past week, a 49-year-old resident of Rockland, Mr Morin, suffered a heart attack and the ambulance was called. Mr Morin lives only three doors away from the ambulance station, but because there was no one at the station and the ambulance attendants were on-call only, no one was readily available to immediately proceed to Mr Morin's residence. By the time the attendants reached Mr Morin's residence, life support procedures had to be implemented, but unfortunately, as we do not have on-site service, it was too late to save Mr Morin's life. In fact, Mr Morin's funeral is Saturday.

Another case of several I could tell you about: M<sup>me</sup> Martin, another resident of my riding, also suffered a heart attack. It was during a period of time when there was only off-site ambulance service, and because of the time delay once again in getting ambulance attendants to Mrs Martin, she suffered eight heart attacks. En route to the hospital, an attendant had to use the defibrillation procedures twice. The good news in this case is that Mrs Martin today is in good health, but what a risk to have to take.

The county of Russell, including the city of Cumberland which is part of my riding, has a population of over 90,000 and is the only county in Ontario without an hospital. Therefore, ambulance trips are not just a short trip. Down the road, I have confirmed reports that an average call in our riding takes at least one hour until the patient arrives at the ER.

In March 1998, the Ministry of Health issued criteria and fundamental principles to which upper-tier municipalities must adhere for ambulance service. It also stated that services provided must be accessible and all residents of the province are to have equal accessibility to ambulance service regardless of socio-economic or demographic status.

This is not happening in parts of my riding, as well as some other rural areas in Ontario. We do not have ambulance service seven days a week for a minimum of 12 hours a day. There are many areas across Ontario that have 24-hour service seven days a week. We are not asking for 24-hour service. We are asking for minimum staffing seven days a week for a minimum of 12 hours a day to ensure that our constituents are able to get the necessary treatment they may require.

I would also like to address the letter faxed to all members of this Legislature by the Association of Municipalities of Ontario stating that subsequent to a meeting of the Ontario ambulance implementation steering committee, municipal government could not support

this legislation. My discussions yesterday with the AMO steering committee co-chair, Mr Roger Anderson, indicated that the steering committee, without checking out the true content of the bill, recommended that AMO not support the bill. Mr Anderson's understanding was that we were requesting 24-hour-a-day, seven-days-a-week service. He said costs were too high. We are requesting only 12-hour-a-day, seven-days-a-week service, not 24 hours a day, seven days a week, as Mr Anderson understood.

I find this more irresponsible, that without checking on the facts, AMO sent such a letter to try to influence members of this Legislature. The cost to taxpayers for this additional service, after consideration of amounts already paid to attendants for on-call service, would be approximately only \$20,000 a year per station. Is this cost too high to save a life?

1010

We need this ambulance service in my riding and all other small communities across Ontario. As the provincial principles governing transition indicate, this service must be provided.

I am asking you to support this bill for the people of my riding as well as other small communities in Ontario. They are without this necessary service, and it is a must that this Legislative Assembly supports it.

I have here a list of all the ambulance stations in eastern Ontario. I have asked the ministry to supply me with a list of all the ambulance stations across Ontario, which I haven't received, but I also have information about a study done by IBI, which was just done in May 1999 that shows the importance of having this service in place.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I want to join the debate today and do so in supporting my colleague the member from Prescott-Russell, who has brought a timely private member's item to the chamber concerning ambulance service in rural Ontario.

I don't profess to know all the details of Prescott and Russell, but I can tell you that in the great county of Renfrew we have a very large geographic region, some 3,000 square miles—I think that translates into 7,000 something or other, but I know it as 3,000 square miles—and communities that are served by hospitals in places like Deep River and Barry's Bay that have very large rural catchment areas.

There is a very real concern that as a result of the downloading from the province through the Ministry of Health to the local counties, ambulance services may undergo a deterioration that is neither necessary nor in the best interests of patients.

As a matter of fact, this week, just two or three days ago, in the Pembroke Observer there was an editorial which appeared on the opinion page of our daily paper entitled "Quality Service Must Continue." At the end of this opinion piece, the editorial writer observes, "There can be no objection to a careful, objective, intelligent examination of ambulance service for the city and county, and we are getting that, but given the service we

have been receiving, the best advice we could give our municipal leaders is, 'If it ain't broke, don't fix it.'"

There is a concern among health care professionals, among community leaders and others that we are going to be very hard-pressed to keep the level of integrated, coordinated ambulance service that we've had over the past number of years in an area like Pembroke and Renfrew county. I personally think it is fundamentally wrong for any provincial government to transfer as essential a part of our health care delivery system as ambulances down to a local government and to expect that such an important part of our health care delivery system be paid for on a property tax basis.

People older than I, in the Ottawa Valley, can well remember a day when we had a much less integrated, much less effective ambulance system than we have had in the last 15 and 20 years. I think successive Ontario governments and ministers of health and area reps for the ambulance service deserve a lot of credit. My friend Mr Lalonde has pointed out the dangers that constituents in rural communities face if there is not a quick and timely response from the ambulance service.

I repeat: If, for example, you live in Bissett Creek or Deux-Rivières in the northeastern part of Renfrew county, you are 40 or 50 kilometres from the Deep River and District Hospital. You may be another 100 kilometres down to the regional hospital in Pembroke. If you're out in the Palmer Rapids, Whitney, Barry's Bay area, you're anywhere from 30 to 60 kilometres into St Francis Memorial in Barry's Bay.

Algonquin Park, often with tens of thousands of people in it during the summer, sits to the north and west of communities like Barry's Bay and Pembroke and Deep River. There are all kinds of examples of young people and older people who require emergency care, often involving an ambulance, in Algonquin Park, particularly in the summertime.

This new policy of downloading ambulance services is going to raise very serious cost and administrative issues for my municipalities, my taxpayers and my citizens in communities like Pembroke and Eganville and Renfrew and Deep River and Barry's Bay.

That's one concern. But the other concern is, are we going to be able to put a program in place that is going to maintain the service we have had? It is interesting that we have had, at the county level in Renfrew, together with others in communities like Lennox and Addington, Prince Edward, Frontenac, Hastings, Leeds and Grenville, a municipal co-operative formed where five or six upper-tier governments have hired a consultant to see how they are going to best be able to keep it together and hold it together.

What we're talking about here is an integrated, coordinated, effective and efficient ambulance care system for a very large rural portion of southeastern Ontario. I was struck again by a report in the Pembroke Observer of December 13, wherein the consultant working for that municipal ambulance co-operative simply makes the



obvious point: "This," he said, "is going to be a very complicated undertaking." I don't doubt that at all.

1020

The tragedy for me is that I know something about the blood, sweat and tears that have gone forward in the last two or three decades, under the leadership of the Ontario government, to give us what is a rather good system now. It's not perfect.

The Ottawa Citizen, as a matter of fact, has an editorial this week as well, talking about problems with ambulance services in the national capital area. So I'm not here to say it's perfect but I'm telling you we have worked—that is, the Ontario government, a lot of very good people in the Ministry of Health, centrally and regionally—long and hard to develop a good coordinated integrated ambulance system, especially in rural Ontario. There is reason to believe that we are taking that apart.

I can imagine a set of circumstances, quite frankly, where we end up spending more money to get about 75% or 80% of what we had. I hope I'm wrong, but the bill before us today, ably advanced by my colleague from Rockland, the member from Prescott and Russell, reminds us that there is a real and palpable concern in rural communities like Alfred, like Casselman, like Alexandria, in his part of the world, and certainly all of those communities in the upper Ottawa valley that I've enumerated. There is a real concern that because of the downloading in this particular area, rural folks are going to have less of an ambulance service than they once had and they may end up, through their property taxes, paying more for less, with the net result that their health care delivery system, particularly in this vital respect of a quick responsive ambulance service, may not be there when they need it.

**Mr Dan Newman (Scarborough Southwest):** I'm pleased to rise in the House today to speak on Bill 29, An Act to amend the Ambulance Act to provide for the minimum staffing and equipping of ambulance stations.

While the amendment proposed by the member for Glengarry-Prescott-Russell has good intentions, it presents a number of serious drawbacks to the delivery of ambulance services in Ontario.

For instance, Bill 29 fails to recognize the wide diversity of demographics, community needs and local resources available in towns and communities across Ontario. This bill, if passed, will not only arbitrarily place a significant financial burden on many rural and northern communities across Ontario, but it will do it without allowing those communities the opportunity for any input.

I'd like to remind the member that the government has a 100% municipally funded—with the province paying 50% of approved costs—cost-sharing arrangement with the municipalities and a forum where issues are dealt with on a continuous basis to ensure a smooth transfer of services with the land ambulance steering implementation committee. I'm a co-chair of that committee, along with Brian Coburn, the MPP for Carleton-Gloucester, who is also the parliamentary assistant to the Minister of

Municipal Affairs and Housing, and the municipal co-chair is Roger Anderson, the chair from Durham region.

At the same time, Bill 29 will result in the disbanding of the many volunteer ambulance groups that currently provide service in many of the communities across Ontario. Most important, the bill will provide little or no improvement in current ambulance response times. For these reasons, I cannot support Bill 29.

The member for Glengarry-Prescott-Russell spoke about his community, and I applaud him for that because that's what private members' hour is about. It's to bring forward issues that are important to the people who sent us here. Keeping that in mind, Bill 29 has implications far beyond his riding; it has implications across our entire province.

Currently, 98% of ambulance stations are staffed at least 12 hours a day in urban and suburban areas of the province. The remaining 2% of communities that do not fall under this category, such as West Carleton and Gananoque, are the exceptions, due to the close proximity of ambulance services, population size and low call volumes within these areas.

In other words, Bill 29 would have the most impact on rural and northern communities in Ontario, for example, Sudbury, Cochrane, Thunder Bay and Kenora, and I'm interested in what the members from those parts of the province have to say about this issue. Another community that would be affected by this bill is the community of Nipissing.

In trying to impose an urban-based model of ambulance staffing requirements on these communities, Bill 29 fails to appreciate the unique character and local needs of many of these communities. In many rural areas, especially in southern Ontario, ambulance stations are currently staffed on-site for eight or 10 hours per day, while coverage is provided during the remainder of the day through paid standby personnel.

In many rural and northern communities, an ambulance station may respond to as few as one or less emergency ambulance calls per week. In low-call-volume ambulance stations, the staffing is provided by either volunteers or paid part-time staff. Such staff are called in from their place of residence or their place of employment, similar to volunteer or part-time fire service personnel, to respond to a request for ambulance service. These volunteers provide a high level of quality service that ensures health and safety standards are being met.

Currently, the Ministry of Health and Long-Term Care and over 100 rural and northern communities in Ontario rely on approximately 500 local volunteers to provide ambulance services across our province. For instance, communities such as Tobermory, Amherstburg, Wolfe Island, Elgin, Exeter, Clinton, White River, Nakina, Mattawa, Beardmore, Moosonee, Ear Falls, Ignace, Chapleau, Richards Island, Nestor Falls, Apsley, Denbigh, Northbrook, Markdale, MacTier, Barry's Bay and Marathon rely on volunteers to deliver this critical service.

I want for a moment to just acknowledge that there are many volunteer ambulance attendants across the

province. I know the member from Oshawa's sister, Charmaine Lurch, who lives in Rivers, Manitoba, is a qualified volunteer ambulance attendant and qualified to serve right across the province. If she was in Ontario at any given time—crossed the border into Ontario—she would be able to serve the people of those communities. That would be very important, I know, to the member for Algoma-Manitoulin to know that fact.

But the proposed amendment in Bill 29 would necessitate replacing most, if not all, of the volunteers in the ambulance system with paid workers. Replacing these volunteers for up to 12 hours a day with paid staff will not only drive up costs, but will also lead to the erosion of volunteerism in these communities. These are communities that rely on volunteers to provide such important services. I want to acknowledge the hard work that these volunteers do on behalf of the people of Ontario.

Just ask Dan Ciona, the chief administrative officer for the county for Brant. That's a different Dan, Mr Speaker. He says: "Volunteers are the lifeblood of the ambulance system in many rural and northern communities across Ontario. Allowing Bill 29 to pass will result in killing off these volunteer services and set a dangerous precedent for other types of services provided in local communities by volunteers."

In addition, this bill will mean paid staff or paid standby personnel will have to be provided for the remaining 12 hours each day, a period of time that is currently covered by volunteers. In other words, this bill will lead to significant increases in costs to local taxpayers.

A very conservative estimate of the financial impact of this proposed legislation is between \$20 million and \$25 million per year. Specifically, the local taxpayers in Thunder Bay, for example, can expect costs in their region to increase by more than \$1 million per year. In Sudbury, the cost would increase by more than \$600,000 per year. The people of Kenora would see the costs increase by more than \$1 million. Cochrane would see its costs increase by more than \$1 million. In Bruce, it would go up \$500,000. The county of Peterborough would see an increase of more than \$300,000. The counties of Leeds and Grenville would see a cost increase of more than \$500,000; Haliburton, a \$200,000-per-year increase; Nipissing, the same amount, a \$200,000 increase; and Timiskaming as well, a \$200,000 increase. That's just the beginning, because many more communities across our province can expect to see a substantial increase in costs associated with providing ambulance services if Bill 29 was passed by the Legislative Assembly. We know that increased costs mean increased property tax bills.

1030

It's important to realize that these increased costs will produce little or no improvement in ambulance response times. As I already mentioned, some communities in Ontario only receive one or less emergency ambulance calls per week. More specifically, under the changes proposed in Bill 29, communities with as few as 30 ambulance calls per year will need to hire five to six full-time

paramedics, plus additional staff to cover the remaining hours of the week.

There are a number of other costs associated with Bill 29 that we should be aware of. For instance, the replacement of paid standby staff and volunteers with paid on-site staff, coupled with the need to maintain current response time standards, will place extreme pressure on the ambulance manpower supply.

As a result of low workload and opportunity to use their skills, paramedics in affected areas will require extensive re-education and skills maintenance programs in order that they can maintain competency in their patient care skills. Furthermore, due to the low workload, full-time paramedics who see the need for skill maintenance could be tempted to leave rural and northern service areas for busier areas. As a result, we'll end up in the province of Ontario with continual high attrition rates and possibly a risk to the continued provision of ambulance service in many parts of the province should replacements not be readily available.

Maybe it is these reasons and the need to allow local communities across Ontario the flexibility to provide ambulance services tailored to the specific needs of their constituents that have prompted many municipal leaders to come out this week against Bill 29.

For instance, Roger Anderson, the chair of Durham region and, as I mentioned, the co-chair of the land ambulance implementation steering committee, wrote to all MPPs this week on behalf of the Association of Municipalities of Ontario, stating: "Municipal government cannot support this legislation in that it sets a prescriptive and arbitrary service standard and abrogates local decision-making to meet local constituent needs. Municipalities want to stay focused on performance, rather than unilateral standards."

Ron Kelusky, general manager of ambulance services for the city of Toronto, said: "Bill 29 restricts the flexibility that municipalities have in deploying their ambulance staff to suit their local needs. By limiting the deployment of ambulance staff to purely geographical considerations, Bill 29 ignores many other key factors that go into deciding staff requirements in providing ambulance services, such as the level of demand for service."

John Cunnane, director of the public safety division at the region of Niagara, said: "This bill takes away the ability of municipalities to contain costs and the flexibility to tailor the delivery of their ambulance service towards the needs of their local constituents. Volunteers already do a good job in providing ambulance services in many communities across Ontario; Bill 29 will only serve to limit the choices that municipalities have in promoting volunteer-based delivery of services."

Brian MacRae, the city manager in Thunder Bay, said: "Bill 29 is problematic in that it is not 'standard' based. Where stations are serving low-density population areas, implementation of Bill 29 could result in unnecessary increases in costs. To avoid unnecessary and inappropriate cost increases, Bill 29 could result in the need to



close stations, thereby decreasing service levels in rural and semi-rural areas of the province."

There's one further comment that Brian MacRae made, and I think it's important to the debate we're having today on Bill 29. He said, "Bill 29 moves the province from its stated policy role with respect to land ambulance to an inappropriate involvement in municipal service delivery decisions."

Indeed, when the government of Ontario transferred responsibility for the delivery of land ambulance services to upper-tier municipalities and designated delivery agents in 1998, the primary objective of the transfer was to allow municipalities across Ontario the flexibility to deliver this critical service based on the local needs of their constituents. I can tell you today that our government is committed to this objective. That is another reason why I cannot support Bill 29.

In keeping with this commitment, the Ministry of Health and Long-Term Care, along with the Association of Municipalities of Ontario, established the land ambulance implementation steering committee, a provincial-municipal partnership to ensure the smooth transfer of this critical service.

In trying to ensure the smooth transfer of this service, one of the issues that was referred to the committee for review was the level of ambulance standards across the province. As the provincial co-chair of that committee, I can tell you that the committee has been very busy over the last couple of months in looking at current ambulance standards and whether there is a need to update them.

It is at this committee where the debate over ambulance standards belongs, where both the province and the municipalities, now joint partners in land ambulance service, can mutually come to an agreement over how the system ought to be governed. I believe we should be working with our municipal partners as opposed to unilaterally forcing decisions upon them. Yet this is what Bill 29 does. I don't think that's what the member intended when he brought forward Bill 29, but that's the reality of Bill 29.

I want to reassure all members of the House on all sides that the Ministry of Health and Long-Term Care continues to monitor the demand for service and for response times for all communities, including those served by volunteer and standby crews, to ensure there is a reasonable balance between the demand for service and the resources that are available.

Having said that, I wish to add that the current ministry system of closely monitoring the need for ambulance service on a community-by-community basis and responding to each need will be much improved over the next year as municipalities and designated delivery agents begin to take direct responsibility for assessing their needs and implementing ambulance service that fits their specific local needs and resources.

In closing, let me take this opportunity to wish the regions of Durham, York and Niagara well as they prepare to assume responsibility for the delivery of land ambulance services on January 1, 2000. To the other

municipalities that are preparing to take over this service during the year 2000, the government of Ontario is committed to working with you to ensure that the transfer of land ambulance service goes as well for you as we hope and expect it will for Niagara, York and Durham.

Finally, I'd like to say to the member for Glengarry-Prescott-Russell that I commend him for exercising his right to bring forward a private member's bill for consideration by the House, and although I do not support Bill 29, I want him to know that my opposition is not based on party lines. I want him to know that I would have risen in the House today and spoken against this bill if it had been tabled by a New Democrat or a colleague within my caucus.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** I'm more than pleased to rise and speak in support of the bill put forward by my colleague from Glengarry-Prescott-Russell. I want to make it abundantly clear that this bill has one intent, and that is to ensure that everyone has on-site ambulance service available a minimum of 12 hours a day, seven days a week.

This bill is concerned about equity in access to emergency services provided through our ambulance services. This member happens to believe there should be equity whether you live in an urban area or a rural area, whether you live in northern Ontario or southern Ontario. My colleague actually had the nerve to believe that the Ministry of Health might support its own principle, established in March 1998, so established by this very government which is now prepared to vote against his resolution calling for equity, a principle in which the government says all residents of the province are to have equal access to ambulance service regardless of socio-economic or demographic status, and I would hope they would consider within that geographic location.

It's obvious that anybody who has the kinds of concerns about what's happening to constituents in his riding that my colleague has is going to bring forward these concerns about inequitable access, particularly when we're dealing with truly life-threatening situations. My colleague has brought forward specific cases, cases like M<sup>me</sup> Martin, who, as he indicated, suffered some eight heart attacks and fortunately is doing well but who went through a great deal of anguish and whose family went through a great deal of anguish before she could get access to the care she needed.

I want to commend my colleague for bringing forward these very real concerns and dealing with them in a constructive way by presenting legislation today.

1040

I hope it was political staff who drafted the Ministry of Health's response given by the parliamentary assistant to the Minister of Health, because it was breathtaking in its ability to suggest that there was a commitment on the part of the—

*Interjection.*

**Mrs McLeod:** I hope it wasn't bureaucrats, because I cannot believe bureaucrats would have been able to

stretch to support the government's agenda to the extent that the parliamentary assistant—

*Interjection.*

**Mrs McLeod:** If the parliamentary assistant wrote it himself, so much the better, because it's clearly a purely political statement. It has nothing to do with the delivery of health care in this province. The representative of the Ministry of Health has made a statement of commitment that sounds very fine but is in fact representing a total abdication of ministerial responsibility for the provision of ambulance services or the assurance of equity in ambulance services. No wonder the Association of Municipalities of Ontario is concerned about anything which might establish some kind of standard.

Let me say to the parliamentary assistant, first of all, that this bill would do nothing to change the system of delivery which is currently in place in the best part of my riding, which allows for 24-hour coverage, land ambulance and air ambulance, backed up by first-response teams in small rural areas and unorganized townships, but it might just have some implications for a part of my riding that's too far away from the site where we have 24-hour coverage, too distant for the air ambulance to reach it quickly, and can't rely on first response. Maybe the Ministry of Health would have some responsibility to provide access to ambulance service in that particular part of my riding. Even though there aren't a lot of people there, I think they still deserve access to emergency care.

Yes, this bill does have implications for the rest of the province, but I understand why the association of municipalities might be concerned about the cost to them. Mr MacRae, who is the city administrator for the city of Thunder Bay, whom the parliamentary assistant has quite wisely in political terms quoted today, suggests that the problem with the bill is it doesn't establish a standard. The Minister of Health's representative in the House today assures us that the government is going to establish standards because, after all, that is something it has left itself.

I have the Ambulance Act, and the Ambulance Act still says that the Minister of Health has the power to establish and operate ambulance services, but also the duty and the power to ensure the existence throughout Ontario of a balanced and integrated system of ambulance services. So the Minister of Health still has the responsibility to set a standard. The only problem is, this government has decided that setting standards and monitoring enforcement is the extent of their responsibility, while the cost of putting those standards into place now rests with the municipalities.

The parliamentary assistant has talked about "smooth transfer" of the ambulance service. In our view, there should be no transfer of the ambulance service. The minister who retains the responsibility, as she should, to ensure equity of access to health care services in this province should also retain through her government the ability to pay fully to ensure that the standards of equity

and access are maintained for our health care services, ambulance and otherwise.

I can't believe the parliamentary assistant would suggest that the focus of their task force group now is to look at—and I wrote the words down—"reaching a mutual agreement on how to govern our ambulance system." If you ask the municipalities, they'll tell you how to govern it. They'll say: "Take back 100% of the funding. We didn't ask for, first of all, the 100% downloading that you offered us. We didn't ask for retaining 50% of the cost of funding our ambulance services."

If you were serious about reaching mutual agreement, fund it 100% and AMO will agree with you 100%, and AMO will be more than willing to support my colleague's bill because AMO certainly wants to make sure that in every municipality of this province citizens have access to ambulance service.

The problem is that this government wants to dump costs on to the municipalities. That's why they defend volunteer services. Yes, there is a role for first-response volunteer teams. Coming from an area with unorganized townships, I understand that full well. But they've got to be backed by ready access to professionally trained paramedic services, and the Ministry of Health has a responsibility to provide those in every part of this province. They have a responsibility to provide them in a way that ensures residents can feel confident that they are going to get access to emergency care when they need it and in time to make a difference.

The Ministry of Health has a continued responsibility to ensure the standards, to monitor the standards, and to pay the costs of ensuring that the kind of equity of access my colleague proposes can in fact be delivered.

**The Acting Speaker (Mr Michael A. Brown):** Further debate?

The member for Glengarry-Prescott-Russell has up to two minutes in response.

**Mr Lalonde:** I want to thank my colleagues from Renfrew-Nipissing-Pembroke and Thunder Bay-Atikokan for their kind words.

Listening to the member for Scarborough Southwest, I could see that he hadn't done his full research on this, because he referred to the additional cost that Barry's Bay would have. I have the list. Barry's Bay has two vehicles on site for 24 hours a day so it wouldn't add any cost to Barry's Bay. He referred to all those people in Durham and Niagara Falls. They all have the 24-hour service.

In your own riding, we read in the Toronto papers that when it takes 15 minutes to get to the hospital, everybody is screaming and crying. I have a message here from St-Isidore, the manager of the arena, and it took an hour and 10 minutes to get an ambulance for a seriously injured hockey player.

I don't know what we're talking about when we say we want to go against this bill. They say it wouldn't improve the service taking the people from standby and putting them on site. It's impossible. Staying on standby, the people are at home. When they're been called, they



go to the ambulance station and pick up the ambulance vehicle. Are you going to tell me that it won't improve the service? I think somebody has to live the experiences we have gone through.

Once again, the North American standard for ambulance service in the urban sector is seven minutes and 59 seconds and in the rural area it's 19 minutes and 59 seconds. You're going to tell me that an hour and 10 minutes is according to the standards? I don't think so.

**The Acting Speaker:** We will deal with this ballot item further at 12 noon. This House will stand in recess until 11 of the clock.

*The House recessed from 1047 to 1102.*

**Hon Margaret Marland (Minister without Portfolio [Children]):** On a point of order, Mr Speaker: Because private member's business is a little less formal, I want to, on a point of order and speaking as minister responsible for children, welcome this wonderful class of children from the C.D. Farquharson public school at Brimley Road, Scarborough, and hope they enjoy their visit to this hallowed place of the seat of the Parliament in Ontario.

**The Acting Speaker:** As you would know, that is not a point of order.

#### ASSESSMENT AMENDMENT ACT (AIR TRAFFIC NOISE), 1999

#### LOI DE 1999 MODIFIANT LA LOI SUR L'ÉVALUATION FONCIÈRE (BRUIT PROVOQUÉ PAR LA CIRCULATION AÉRIENNE)

Mr DeFaria moved second reading of the following bill:

Bill 19, An Act requiring the consideration of air traffic noise in the assessment of residential property / *Projet de loi 19, Loi exigeant la prise en compte du bruit provoqué par la circulation aérienne lors de l'évaluation de biens résidentiels.*

**Mr Carl DeFaria (Mississauga East):** "Su Lalsingh and her family were up all night with it.

"Christine Solowy's two-year-old woke up screaming around 10 pm and it took her an hour and a half to get back him back to sleep.

"After 22 years in the community, Rita Palazzo is seriously considering moving for the first time because of it.

"Sara Kiss doesn't know how they expect people to get up and go to work after it happens.

"Irene Tywaniuk says she now knows what it must have been like to experience the 'blitzes' of the Second World War.

"Solowy lay down next to her son after he was awakened by the planes. It took 90 minutes for him to fall back asleep. 'All you needed was the bombs to start dropping,' she said. 'It was unbelievable, just one after another.'"

Yes, it sounds like a description of a war-torn region. But what I read to you is a description from the Mississauga News of a night in the life of residents of the Rockwood and Fleetwood communities in my riding of Mississauga East. "It" is the air traffic noise caused by the north-south runways at the Toronto International Airport. This is a community of peace-loving, hard-working people who moved into their homes mostly in the 1970s under the following assurances from their democratically elected governments.

I'll read to you a Privy Council order, 1973-3026, October 5, 1973, which stated, "Whereas the government of Canada has decided that Toronto international airport" ... "will not be expanded beyond its present boundaries in order not to further increase the degree of disturbance from flight operations to the people now living in the communities surrounding Toronto international airport."

The city of Mississauga official plan of 1978, which was approved by both federal and provincial governments, paragraph 5.14.1.2 stated, "The designation of land use is based on the assumption that there will be no expansion of the Toronto international airport beyond the three-runway configuration."

An environmental assessment and review panel commissioned by the federal government under the chairmanship of David Kirkwood, spent three years and \$13 million to declare, in November 1992, "The proposal to construct the runway 15R-33L as described in the EIS, should not be further pursued, as the adverse social impact which it would create would outweigh the modest increase in north-south capacity it would provide."

Let me tell you what has happened since the 1970s. This airport has become one of the busiest and, financially, one of the most successful airports in the world, but at whose cost? At the cost of the taxpayers and residents of Rockwood and Fleetwood communities of my riding of Mississauga East—quality of life cost and loss of their property value cost.

Let me read you a passage from the GTAA update from March 1999 so that you can see how the airport authority brags about their success: "Lester B. Pearson International Airport experienced another record year for passenger traffic in 1998.... The number of passengers going through LBPIA in 1998 was 26.7 million, an increase of 2.5% compared to 1997's total of 26.1 million.

"The total number of flights increased as well with a 6.7% growth over 1997. There were 423,200 aircraft movements through the airport last year."

That's equivalent to five plane movements per second. Can you imagine that, five airplanes per second, each and every second of the day, each and every day of the year? Try to imagine the impact of this kind of air traffic on the people living right under the runways.

1110

Let me read you letters from my constituents that will show the members who paid dearly for the airport's success. A resident who lives on Claypine Rise in Mississauga East, wrote, indicating as follows: "Flights come in at such a low altitude that I can't speak to my two-year-

old son, while standing on our driveway, without shouting to him."

Another resident wrote to the airport authorities, saying the following: "I am sure you are aware of the negative impact the new north-south runway has had on our neighbourhood. The noise and distraction of the planes passing over our home has caused us as well as our neighbours to assess whether or not we'll be able to continue to live here. This decision as you can imagine is causing us much anxiety."

The GTAA, the airport authority, set up a hotline for residents to report noise. This is what one resident experienced with the hotline: "I am writing with regard to the Greater Toronto Airport Authority noise complaint telephone line.... My experience in dealing with the persons answering this line has been both frustrating and degrading.... Every week a new script is drawn up and read from."

The residents were so frustrated, there were so many calls and so much frustration with lack of action—one resident kept calling so many times that he was charged under subsection 372(3) of the Criminal Code for telephone harassment. Can you imagine the level of frustration that would make a resident make so many calls so as to be charged under the Criminal Code?

During the 1993 election, local federal Liberal MPs promised the residents that there would be no new north-south runway built. "Over my dead body," a local MP said. Well, no sooner than the election was over, the construction of a new north-south runway was commenced and completed in 1997—a complete betrayal of residents by local federal Liberal MPs.

I'm not making this an issue because all federal parties did not respond to the residents on this issue. I sponsor this bill to let the federal Liberal government know that the residents of Rockwood and Fleetwood are not alone in their fight.

I was prepared to bring this bill, knowing very well that the government's ministry bureaucrats are not in favour of it. I wanted to make a statement.

I know the airport and its operation are under federal jurisdiction but I want this issue to be debated in this Legislature, since local federal Liberal MPs refuse to bring a bill to the House of Commons to debate the noise and pollution problem that affects residents of Mississauga East.

I kept my word to the people who elected me to this House, Mr Speaker, and your word.

**Mr James J. Bradley (St Catharines):** I was trying to figure out where in this bill the federal government bashing would come in and I finally got it near the end, so I'm satisfied that that finally did happen, because every bill has that aspect to it.

But the problem the member brings to the attention of the House is indeed a problem which people who live near airports anywhere experience, and particularly airports which have a very large volume of traffic and the kinds of aircraft coming in and leaving which make a good deal of noise.

I know that there are those out there who will say: "Well, you know, when the people moved in, they knew what they were getting into. They knew they were near an airport." I think what those people don't realize is that very often things change, that the volume of noise that was there originally changes substantially as there are new runways or a greater frequency of traffic.

There are others who will say that there's also an advantage to living near an airport because you have easy access to it. I don't think that really makes people who live near the airport and have to experience this excessive noise feel any better than they would otherwise.

One way of tackling the problem is dealing through the assessment base, taking into consideration assessment; in other words, how much one pays in taxes municipally, ultimately. That seems to me to be fair. I know the member has a difficult time dealing with his own ministry of revenue of Ontario because they tend to not look favourably upon these new categories. We've had eight bills in this Legislature which have dealt with property tax. Every time the government thought it had it right and rushed through one of its bills on property tax the government would have to, again, deal with yet another bill to correct the mistakes in the last bill.

I can be sympathetic to the member because I have all kinds of constituents, particularly those who are in businesses in the downtown area of the city of St Catharines who have written many letters to the Minister of Finance and others about problems with property taxes. Now the former member for Lincoln tells them the real problem is that they have too much local government. It has nothing to do with that, of course. It's due, as the member aptly points out today, to specific problems with assessment.

How can one assist people in these circumstances? The member offers one solution, and that is to be able to at least take into account the fact that there is excessive noise and give them a break in terms of their municipal property taxes.

We know that when we change the assessment base, because that's what the government wrestled with with its various property tax bills, when one group of people pays less, another group or another category pays more. However, I go back to the fact that the kind of noise—and I've been by the airport. I don't live near that airport but I've been by the airport and I know that when you're going down the highway and listening to those planes coming just over the highway, there's a tremendous amount of noise there that does affect the people. I can certainly believe all the contents of the letters that have been directed to the member by constituents when they say that they have a difficult time hearing one another in a yard, when they're in a conversation, as one of those jumbo jets goes over that particular property, either taking off or landing, particularly probably taking off.

I wish the member well in being able to convince his own ministry of revenue that this would be an acceptable change in terms of a category because the individuals who are justifiably complaining about their property taxes as a result of the circumstances in which they find



themselves join literally thousands upon thousands of others in the province who've been adversely impacted in the other cases by the fact that the provincial government keeps changing laws, bringing in new laws that cause huge changes in property tax assessment. I say to all of those who have said through the local St Catharines Chamber of Commerce, their faxes to me and letters to me, that I'm extremely sympathetic to the points that they make and to the fact that they thought they had a pattern established. They thought they had a significant shift in assessment taking place only to find that the Harris government implemented and passed—rushed through the Legislature, because they rush all bills through the Legislature—through yet another piece of legislation which had an adverse impact on them.

There was some talk of a tax revolt. There was some talk—and there was a very heated meeting I attended. I know the provincial government smiles at this, but unfortunately the venom was directed at city hall and at the regional government as opposed to the provincial government which had made these changes, which then put some caps later on on changes they had made.

So there are people getting bills from two years ago. They're asking for clawbacks going back a year or two, to get taxes that they thought they had lowered. I think one can agree that the property tax or the assessment problem in this province is at a crisis level for many people. I think the member has pointed to yet another category of person: those who live near an airport.

1120

In my own area we only have a small airport, Niagara District Airport, in our part of the province. I had people who were complaining about some exercises taking place in the air with small airplanes. The noise was bothering them within their homes or within their yards and they were phoning to complain to various levels of government, without much satisfaction, I might say. If those people were complaining about small aircraft engaged in certain activities above their homes, I can imagine the justifiable complaints of those who live adjacent to a major international airport, in this case Pearson International Airport. I can certainly be sympathetic to that situation. The planes don't quit landing at 7 o'clock at night; they go well into the evening, and early in the morning they're going.

I guess where others understand it and perhaps can be a bit sympathetic would be when one has to stay in a hotel near an airport. A person who has never experienced that kind of noise before sure recognizes very quickly what people who reside near an airport go through, because they are usually awakened, sometimes in the middle of the night but very often early in the morning or in mid-evening, by the noise of aircraft landing and taking off.

I'm very sympathetic to the circumstances faced. I will be supporting this particular measure because I think it's about the only way they're going to get some redress. A deep recession I guess means fewer flights. Nobody wants to see a deep recession. On the highways now we

have huge volumes of truck traffic across the country, and certainly here in Ontario. When you have an economy which is booming as a result of low interest rates, the low Canadian dollar and the booming American economy, when you have that kind of economy in a province or a country—the whip smiles and knows what I'm saying is true, that that is the reason for the strong economy—you have a greater volume of transportation, a greater volume of traffic at airports, on highways, and one would hope on rail.

That is certainly a problem that must be addressed. The member has probably selected the only solution we have that's going to be practical. We'd like to look at some other solutions, but you have to deal with the situation you've got and how you can at least provide some relief to people who are confronted with these circumstances.

I know that the people in St Catharines and the Niagara region who are confronted with the huge sways in the amount of assessment they have, just as they are looking for redress—and I hope the provincial government can find redress and not simply point at the local government and say, "If only you'd get rid of the local government, there wouldn't be a problem." We all know that's not the case. There was significant downloading of some \$18 million net. The member from Scarborough would know that; he keeps track of these facts.

In the Niagara region when there was an exercise of changing, which is a legitimate exercise, of saying, "Let's look at who should have responsibility for what," the minister of the day said it would be revenue-neutral. I can tell members of the House it wasn't revenue-neutral. For our regional municipality of Niagara there was \$18 million additional in terms of obligations downloaded to the local municipality. That had to be reflected in one of three ways: one, increased taxes; two, increased user fees; or three, even further chops in services which were essential to the people in our area.

Just as I support the people in my own area who are confronted with this, who would prefer to point their finger locally at their local governments, when I know and many of them in their heart of hearts know that it's the Mike Harris government that's the problem, just as I'm prepared to support them, I'm prepared to support this member.

**Mr George Smitherman (Toronto Centre-Rosedale):** It's my pleasure to join for a few moments and speak on Bill 19 from the member from Mississauga. I compliment him on this issue to the extent that I understand this is a very significant issue in his riding. I know this because although I now represent a downtown riding, which has its own airport as well where airport noise from time to time causes concern for constituents, I grew up in close proximity to Pearson International Airport.

I lived in Etobicoke. My father operated a trucking company on Torbram Road underneath a flight path of Pearson airport. I lived for a time in Brampton. All of those communities have been affected over time by noise that emanates from Pearson airport.

I must say that, notwithstanding recognition that this is an issue of concern to the constituents in the member's riding and in other ridings in and around Pearson airport, I think the redress that is suggested in this legislation is a dangerous one. I will not be supporting it, principally on the basis that I think it's incumbent upon us not to begin to create variances in tax situations which begin to take into consideration all kinds of activities which might, from time to time, have affect on our enjoyment of property.

We have a system of assessment that's based on market value. In the city of Toronto, as an example, in my riding, would members opposite support a piece of legislation, were I to bring it in, that was determined to offer lower taxes for people who live in close proximity to a variety of social services? Shelters, as an example, come to mind. I think not. For those reasons, I think members would be advised to vote against this bill.

I make one other point, rather significantly. In Mississauga, in Peel region, and I would say parts of the city of Toronto such as Etobicoke, a great prosperity has come to those areas in large measure as a result of Pearson airport. It has an extraordinarily huge economic impact on those communities. I think you can make the point that the city of Mississauga's tremendous situation, their financial state, emanates in some part from the desirable location they have as a centre point for transportation. It's not just Pearson airport, but also the 400-series highways and of course the Queen Elizabeth Way as well. Do the residents of Mississauga seek to have those positive attributes that stem from their proximity to Pearson airport considered as influences that might actually be brought into consideration to raise the level of assessment? I think members opposite would be loathe to support it on that basis.

We see an increasingly important role in our economy for air travel. We also see extraordinary evolution in technology as it relates to the noise that aircraft make. I think the member would agree that over time efforts to modernize the fleets, particularly by our main airlines—some of the charter airlines tend to follow suit a little more slowly—will offer benefits to people living in those neighbourhoods.

The Greater Toronto Regional Airports Authority is undergoing a massive \$4-billion reinvestment in Pearson airport, throwing off extraordinary benefit to the city of Mississauga. Over \$400 million in provincial taxes emanate from that facility.

For all of these reasons, and principally the ones that include economic activity, the importance of that place and the benefits that Mississauga has received over time, I think this is a piece of legislation members should oppose.

1130

**Mr Dan Newman (Scarborough Southwest):** It is an honour to stand here today in the Legislative Assembly to address it on an issue that I believe is quite important.

I want to thank the honourable member for Mississauga East for bringing his concerns regarding airport

noise to the attention of the House. It is my hope that the House, in its wisdom, will pass this legislation and take the important first steps to making this amendment law.

I will be the first to admit that the issue of airport noise is one that I don't run across very often in Scarborough Southwest, at least airport noise coming from Pearson International. There are a lot of other noise issues that I, as the member for Scarborough Southwest, have to deal with. Indeed, Scarborough Southwest being in the southern part of the Scarborough, my constituents aren't directly under the flight path of any jumbo jet landing at or taking off from Pearson airport. They do pass over my riding. They tend to be taking off from Pearson, but they are at a much higher altitude when they go over Scarborough, so it's not an issue that directly affects my constituents. We tend to see smaller planes coming and going from Toronto City Centre Airport along Lake Ontario.

But having said that, there are noise concerns brought forward by my constituents. I remember in the last Parliament when I was the MPP for Scarborough Centre, I had several constituents whose homes backed onto the Scarborough rapid transit line who had great concerns about assessment and how it affected their homes. Back in 1984, they had worked with their local alderman at the time to ensure that the issue was addressed in their assessments, and they were successful in that. I continue to work hard for them on that issue.

Living above a subway or right beside a major highway or a set of railway tracks, for example, does indeed earn you, I believe, at least the right to be considered for lower assessment. This adjustment for homes in close proximity to a nuisance is called "nuisance variable," yet under the current Assessment Act there can be no adjustment made for the nuisance of living right under a major flight path.

That's what the member from Mississauga East is bringing before us today. I indeed sympathize with the member's concerns in the bill that he's brought forward today. It's my belief that amending the Assessment Act is only fair, since every member of this House can attest that living under the roar of a jumbo jet must be as disturbing as living beside the Scarborough RT line or right beside a major highway in our province.

I think it's important to note, as the member from Mississauga East noted, that part of the responsibility for major flight noise must lie at the feet of the federal government. In an article from the Mississauga News dated September 23, 1998, regarding the issue of airport noise, federal Transportation Minister David Collenette, who I might add is the minister responsible for the GTA, said, "Because of short-sightedness on the part of all of us, including the federal government 35 years ago, we now have a problem with too many residences too close to the airport."

So we even have the federal government admitting a mistake was made by allowing residential development too close to Pearson International Airport. What did they do? As the member indicated, they built a brand new



north-south runway, taking jumbo jets closer to people's homes and, I would say, closer than was ever originally intended.

It's important to note that between 1996 and 1997, noise complaints to the Greater Toronto Airport Authority doubled, and between 1997 and 1998 those noise complaints doubled again. Clearly, the federal government does have a responsibility to the residents of the constituency of Mississauga East or, for that matter, any of the neighbouring constituencies.

I'll be the first to agree that Pearson International Airport is an essential service to Ontario's economy. I know the member for St Catharines spoke about the booming economy in Ontario, and I thought he would have wanted to mention the 99 tax cuts that have been brought forward by this government. But as someone once said: "One mile of roadway will take you one mile. One mile of runway will take you to the entire world." I think they're absolutely correct in that. In today's global economy, I don't think you'd be able to find anyone who doesn't believe that Pearson International Airport is an essential element in helping to make Ontario one of the best places to work, live and raise a family.

Unfortunately, one of the trade-offs with having a busy, successful airport is a lot of noise. While I do not believe the federal government has done all they can in order to help reduce noise to the innocent residents around Pearson International, I commend the member from Mississauga East for bringing this issue before the Legislative Assembly today.

By implementing the tools necessary for property tax assessors to attach a fair market assessment price to a residential property, I believe this act will help boost the realty sector in the affected areas. By attaching a fair value to assessment rather than an artificially high assessment, people will be more willing to purchase a property due to the lower assessment and ultimately the lower property taxes on their property.

Indeed, this act truly levels the playing field on this issue. Right now, special consideration can be given in a property tax assessment for living beside a highway, special consideration can be given for living over a subway line, and special consideration can be given for living beside railway tracks. But special consideration cannot be given for living underneath a major flight path. Hopefully, if passed, this legislation would address this major inequity.

The increase in our global economy and the subsequent increase in air traffic and air transportation is an issue that will affect all of us as members of provincial Parliament. I understand the federal government is considering putting another regional airport in Pickering. Air traffic at the Toronto City Centre Airport is increasing and there has been some consideration given to expanding the role of the Hamilton International Airport. Indeed, as our population grows and expands, so will the number of airplanes in our skies. I don't think it's fair to the people who must live directly underneath the roar of

a jumbo jet 30, 40 or 50 times a day that they somehow cannot be compensated for that inconvenience.

That's an inequity that I commend the member for Mississauga East for addressing, and it's an inequity that I will do my part to help eliminate by supporting this legislation today.

**Hon Frank Klees (Minister without Portfolio):** I am pleased to rise to speak to this important piece of legislation being brought forward by my colleague the member for Mississauga East. I want to commend him on two counts: first for bringing this concern that clearly is of great importance to a number of his constituents before the House, but more importantly the fact that he is showing that he is an individual who follows through on his commitments to his constituents.

On October 27, Speaker, you will remember that the member for Mississauga East made a statement in this House. At that time he said, and I quote from Hansard:

"During the election campaign, I had the opportunity to listen" to constituents' concerns "about airport noise and how it affects their quality of life and the value of their homes. They expressed their frustration with the federal Liberals, who have jurisdiction over the airport but have failed to bring in measures to curb the noise and to restrict the use of the north-south runways.

"As the provincial representative, I want to do what I can to help my constituents in the community." The member goes on to say, "I want to inform the House that I am working on a private member's bill to amend section 19 of the Assessment Act to provide as follows...."

That brings us to this place of debate. The member has introduced his bill into the House and we're now engaged in second reading of this bill. I will be supporting it, and the reason for that is that I believe it is imperative that in this House we do what we can to provide redress to people in our constituencies who are dealing with issues beyond their control.

Clearly the jurisdiction here is one at the federal level of government. It is also clear that the federal level of government has chosen not to act, and for that reason we must do what we can.

There are really two issues at stake. One is financial; the other is quality of life. On the financial side, as the member for Toronto Centre-Rosedale has indicated, we do have an assessment system in the province that takes into account property values.

There's also no doubt in my mind that the value of someone's property situated close to an airport is going to be affected by the noise, by the circumstances, and so in one respect the amount of property tax that an individual pays on a house that's located close to an airport will already be reflected in the fact that the value of that home is going to be adjusted simply based on its market value. However, I do think it goes beyond that.

I think that to provide a signal here that there should be some compensation, some measure of redress, to people who perhaps have purchased a home before the level of noise at that airport in the surrounding area was what it is today—and I understand there was a new run-

way constructed at Pearson which now is affecting people who purchased their homes under one set of circumstances. They are now having to live with another set of circumstances, and I really do believe it's incumbent upon us to ensure that these people's rights are recognized.

1140

The other is quality of life. That's a much more complex issue. Again, who do people go to if their quality of life is negatively affected? If they can't go to a member of provincial Parliament or a member of Parliament and expect that their issues are taken up, where do they go? In this case they've gone to the member for Mississauga East. He has brought this matter before us, and I think we have a responsibility to act.

I too, in my riding of Oak Ridges, am affected by this. I'd like to refer to a letter that I received from a constituent by the name of Frank Lung, who lives in Richmond Hill. I'll read one paragraph, as he refers to the issue of airport noise around the Buttonville airport, just outside of my constituency. He refers to two major concerns: "(1) low-altitude flying above our residential area (ie, many planes flew below 200 feet, yet the aviation restriction is 500 feet above ground), and (2) midnight flying in our residential area." He refers to the fact that people were awakened by noisy planes in the middle of the night. "The aircraft noise disturbance affects more than a thousand families in this subdivision alone," according to his letter. He goes on to refer to a number of incidents—October 7, October 12, 17 and 19, where he reported to Transport Canada these instances of disturbing their family in their sleep in the middle of the night, 2 o'clock or 3 o'clock in the morning.

I want to read into the record the response that he received from Mr Joseph Szwalek, acting regional manager, aviation enforcement, Ontario region. This is dated October 18, 1999: "We have reviewed the radar tapes, and have found that all aircraft were operating within legal limits at those specified times."

The letter goes on to say, "The department can only encourage you to work with the local airport authority and local air operators in an attempt to resolve your problem. Aviation enforcement can only inform you, at this time, that no further action will be taken."

What encouragement is that? Where, now, do these constituents go to address this issue? I would suggest that we, as a House, after we pass this bill, make it a commitment as well that we will implore the federal level of government to address these issues that are clearly within their jurisdiction. It's simply not acceptable that we tell people, "This is the law. These airplanes are flying within the appropriate restricted hours," and have no regard to the quality of life.

*Interjection.*

**Hon Mr Klees:** What I do think is important is that some compromises be made. In this particular case, at Buttonville, for example, the same individual writes that the airport is a 24-hour operation and currently does not have a late arrival or departure curfew. It is therefore

conceivable to have aircraft movement in the early morning hours—again, within the rules and regulations, but unacceptable.

If we in this House don't take some initiative to try to bring some restrictions and compromises between the economic factors and the quality-of-life factors, who will? I believe it is our responsibility. I look forward to working with the member for Mississauga East to bring this matter to his logical, positive conclusion, to help the residents of his riding and also to work with him with the federal government—

**The Acting Speaker (Mr Michael A. Brown):** Thank you. The member for Mississauga East has up to two minutes to respond.

**Mr DeFaria:** I would like to thank the member for St Catharines, the member for Scarborough Southwest and also the member for Oak Ridges, the chief government whip, for their support.

Our local federal Liberal MPs broke their promise to the residents and, in doing so, broke a sacred bond. In doing so, they also broke hearts. There have been casualties in this fight against airport expansion. I know that Lorrie Mitoff, who led this fight as president of Rockwood Homeowners' Association and chair of the Council of Concerned Residents, died of a broken heart. Lorrie Mitoff was a big man with a big heart. Lorrie Mitoff was a man who cared dearly for his community. He died a few days before the 1999 election and only a couple of days after a public debate on airport noise. It was on that day that I promised Lorrie Mitoff that I would introduce this bill.

I dedicate this bill to the memory of Laurie Mitoff. This is the Lorrie Mitoff bill. I ask all members of this House to support this bill. This will give a message to all governments that residents must be respected and that their rights and their interests must be protected, because it's through this House and through the House of Commons that residents require protection.

**The Acting Speaker:** We will deal with both ballot item number 11 and ballot item number 12 at 12 o'clock. This House will stand in recess. I will return to the chair at noon.

*The House recessed from 1147 to 1202.*

#### AMBULANCE AMENDMENT ACT (MINIMUM READINESS), 1999

#### LOI DE 1999 MODIFIANT LA LOI SUR LES AMBULANCES (DISPONIBILITÉ MINIMALE)

**The Acting Speaker (Mr Michael A. Brown):** Mr Lalonde has moved second reading of Bill 29, An Act to amend the Ambulance Act to provide for the minimum staffing and equipping of ambulance stations.

Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.



ASSESSMENT AMENDMENT ACT  
(AIR TRAFFIC NOISE), 1999

LOI DE 1999 MODIFIANT  
LA LOI SUR L'ÉVALUATION FONCIÈRE  
(BRUIT PROVOQUÉ PAR  
LA CIRCULATION AÉRIENNE)

**The Acting Speaker (Mr Michael A. Brown):** We will now deal with ballot item number 12 and then we will ring the bells.

Mr DeFaria has moved second reading of Bill 19, An Act requiring the consideration of air traffic noise in the assessment of residential property.

Is it the pleasure of the House that the motion carry? Carried.

Pursuant to the standing orders, the bill is referred to committee of the whole.

Call in the members.

*The division bells rang from 1204 to 1209.*

**The Acting Speaker:** Members please take their seats. Order.

AMBULANCE AMENDMENT ACT  
(MINIMUM READINESS), 1999

LOI DE 1999 MODIFIANT LA LOI  
SUR LES AMBULANCES  
(DISPONIBILITÉ MINIMALE)

**The Acting Speaker (Mr Michael A. Brown):** Mr Lalonde has moved second reading of Bill 29, An Act to amend the Ambulance Act to provide for the minimum staffing and equipping of ambulance stations.

All those in favour will stand and remain standing until their name is called.

**Ayes**

Agostino, Dominic  
Bartolucci, Rick  
Boyer, Claudette  
Bradley, James J.  
Bryant, Michael  
Caplan, David  
Christopherson, David  
Churley, Marilyn  
Colle, Mike  
Conway, Sean G.

Cordiano, Joseph  
Di Cocco, Caroline  
Duncan, Dwight  
Gerretsen, John  
Gravelle, Michael  
Kennedy, Gerard  
Kwinter, Monte  
Lalonde, Jean-Marc  
Levac, David  
Martel, Shelley

McLeod, Lyn  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Smitherman, George

**The Acting Speaker:** All those opposed will stand and remain standing until their name is called.

**Nays**

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Clark, Brad  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Gill, Raminder

Guzzo, Garry J.  
Hastings, John  
Johnson, Bert  
Klees, Frank  
Marland, Margaret  
Maves, Bart  
Mazzilli, Frank  
Munro, Julia

Mushinski, Marilyn  
Newman, Dan  
Ouellette, Jerry J.  
Spina, Joseph  
Tilson, David  
Wettlaufer, Wayne  
Wood, Bob

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 29; the nays are 23.

**The Acting Speaker:** I declare the motion carried.

Pursuant to standing order 95, this matter is referred to committee of the whole House.

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I would ask that Bill 29 be referred to the general government committee.

**The Acting Speaker:** Shall this bill be referred to the standing committee on general government? Agreed?

All those in favour of this question will please rise and remain standing.

All those opposed will please rise and remain standing.

A majority of the House being in agreement with the request of Mr Lalonde, the bill stands referred to the standing committee on general government.

All matters relating to private members' public business have now been completed. I do now leave the chair and the House will resume at 1:30 of the clock.

*The House recessed from 1211 to 1330.*

**MEMBERS' STATEMENTS**

**KINGSTON AGRICULTURAL OFFICE**

**Mr John Gerretsen (Kingston and the Islands):** The city of Kingston at its council meeting on Tuesday approved the following motion:

"Whereas the OMAFRA office located in the city of Kingston, which presently serves the county of Frontenac and the county of Lennox and Addington is to be closed; and

"Whereas agriculture in Ontario is the second-largest industry; and

"Whereas agriculture and rural affairs assistance will now only be available in Kemptville or Brighton;

"Therefore be it resolved that the city of Kingston request that the OMAFRA office remain in the city of Kingston to benefit the large rural area surrounding Kingston."

I also have a letter addressed to the Minister of Agriculture from Dudley Shannon. He's the chairman of the Frontenac Federation of Agriculture, the voice of agriculture in Frontenac county. He states: "When I listened to your address at the OFA annual convention last month, I had no idea that you intended to change OMAFRA as it is reported you will be doing. We are very disappointed that you will be virtually plundering the ministry."

We all know that since 1995 the government has instead cut agriculture. In the first three years alone, the Mike Harris government cut \$18 million from research, lab and field services, cut \$44 million from its own contribution to safety net programs and cut \$10 million from marketing and food processing programs.

Now you have cut the only source of unbiased opinion and information to the farmers. Our agricultural industry is a world leader, and we demand that the ag offices be kept open in our province.

### SARAH ROSE BLACK

**Mrs Tina R. Molinari (Thornhill):** With great pleasure, I congratulate Sarah Rose Black on her winning first place in the "Care to Brag" Go Neighbour campaign. Sarah Rose's first place win in the 11-to-13 age category brings with it a \$500 scholarship towards post-secondary education, a \$500 donation to a charity of her choice, gift certificates and an all-expense-paid trip to Vancouver for an awards ceremony.

The award is from the Youth Volunteer Corps of Canada, which is a proactive, national youth service program which encourages team volunteers, age 11 to 18 years, to develop important citizenship skills and gain a deeper understanding of their roles in the community. The youth serve their community while working on real and meaningful projects. The Youth Volunteer Corps recognizes that all youth can be valuable and giving members of their community.

Sarah Rose definitely is a clear example of a giving member in her Thornhill community. Though only 12 years old, she has more than six and a half years of volunteer service with the Canadian Cancer Society. In her own words, Sarah Rose said: "I volunteer because I want to help others learn how to avoid cancer. Education and research are key to cancer prevention, so I also help raise funds for cancer research." Her volunteer work has led others in becoming involved with the cancer society.

I take great pleasure in congratulating Sarah Rose and wish her continued success in her future volunteer endeavours.

### HOSPITAL RESTRUCTURING

**Mr Michael Gravelle (Thunder Bay-Superior North):** I'm pleased to have the opportunity to comment on the Ontario Hospital Association's report card for Thunder Bay Regional Hospital released earlier today.

As you know, Thunder Bay's hospital system has gone through an extraordinary upheaval since the late, but unlamented, Health Services Restructuring Commission first came to our community in 1996. Their insensitive and harsh directives, as well as the government's sharp reduction in funding support, put intense pressure on the staff at Thunder Bay Regional to maintain a quality level of service. With that in mind, today's report card by the OHA is surprisingly positive, which is nothing more than a reflection of the hard work and devotion of the doctors, nurses and other hospital staff who believe patient care is the number one priority.

But what is clear from the report card is that where there are identifiable shortcomings in the hospital's performance, they are directly related to the bizarrely short-sighted directives of the restructuring commission. Just this past week, Thunder Bay Regional needed to utilize 396 acute care beds, even though their funding allocation is for only 350 beds. The acute care bed needs in my community must be agreed to by the government, regardless of the HSRC recommendations, because clearly the

problems identified by patients revolve around getting a bed. Once they are actually in the hospital, patient satisfaction increases.

This report card is a vital tool that I hope the government will use to acknowledge and correct the mistakes they've made, so that patient care in our hospitals can once again be something people count on.

### CHRISTMAS IN SAULT STE MARIE

**Mr Tony Martin (Sault Ste Marie):** I want to take this opportunity today to wish you and everybody in this place—my friends across the way, O'Toole, Sampson, Tilson, Arnott; some of my friends from the Liberal Party, the member from Sudbury, the member from Kingston and the Islands, Thunder Bay-Superior North; my own colleague from Hamilton West, Mr Christopher—son—the best of the season. I hope you have a wonderful Christmas and a wonderful holiday.

**Mr George Smitherman (Toronto Centre-Rosedale):** What did I do?

**Mr Martin:** And Mr Smitherman. To the pages and the people who work here, I want you to know that it's snowing in Sault Ste Marie today. It's snowing in northern Ontario, and you're all welcome to come up and do some skiing. Jimmy Hilsinger's been working his head off out at Searchmont, the mountains of the midwest. The ski hills are full of snow. There's opportunity for everybody to recreate, have a good time. Come up after Christmas, take the snow train, bring your snow machine and experience for yourself the wonders of the north in the winter, the snow, the fresh air and the cold, and everything we have to offer by way of hospitality.

In Sault Ste Marie, we consider ourselves naturally gifted. We have some things to offer you, some opportunities to offer you. We want to talk to you about it. We want you to come up. We want you to enjoy our hospitality.

*Interjections.*

**Mr Martin:** Do you want to see the tie? That's Santa Claus skiing at Searchmont. He was there last week. There was a sighting. So come on up. Enjoy Christmas, enjoy the winter, enjoy the north.

**Hon Frank Klees (Minister without Portfolio):** On a point of order, Mr Speaker: I ask for unanimous consent to give the honourable member some more time. He's doing such a wonderful job at this time of the season.

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### ONTARIO COLLEGE OF TEACHERS

**Mr Bart Maves (Niagara Falls):** I want to bring to the Legislature's attention concerns I have over recent decisions made by the College of Teachers discipline committee.

The most recent edition of Professionally Speaking, the official magazine of the Ontario College of Teachers, details four cases before the discipline committee. In one case, a teacher with 15 years experience was found to



have "engaged in an inappropriate sexual relationship with a 16-year-old student." The discipline committee's decision? A suspension of the teacher's certificate.

Next, the college discipline committee revoked the certificate of a teacher found guilty of possessing crack cocaine for the purposes of drug trafficking. This teacher already had a long criminal record for convictions such as theft, possession of stolen property and possession of narcotics between 1980 and 1998.

In a third case, the college heard that a teacher resisted arrest by a police officer and was charged with assault of a police officer. The college's decision? To allow an undertaking between the teacher and the college.

While I can applaud some of the college's decisions in revoking certificates, I'm deeply troubled by these three cases. A teacher convicted of sexual exploitation and serving a jail sentence should have their certificate revoked, not suspended. A teacher with many prior criminal convictions should have been weeded out of the system much earlier. Finally, a teacher who assaults a police officer is a poor role model. In three cases, the college should have acted more decisively.

#### GOVERNMENT SPENDING

**Ms Caroline Di Cocco (Sarnia-Lambton):** I rise in the House today to put on the record the double standard of the Harris Tories. I've been listening to the Harris government mantra of cutting costs in every sector such as health, education, the environment, heritage and culture. All sectors have had to do more with less and cut costs. I would like to present the facts about the Harris government's double standard in not cutting costs but actually increasing them.

In 1995, the cost of salaries to the Premier, cabinet ministers and the PAs was \$751,946. This was when we had 130 members in the Legislature. Today in 1999, the extra cost of the salaries of Harris, cabinet ministers and PA has ballooned to \$1,052,003. Let us all take into account that this cost has skyrocketed while we have downsized the Legislature to 103 members in 1999. This basic salary cost does not include the doubling of staff in the Premier's office, the extra staff for ministers, the extra drivers, cars and 30% salary raise for these staff.

These are the facts. Mr Harris, you clearly have a double standard: one for you and one for the rest of the people of the province. The message I have is: You can fool some of the people some of the time but you can't fool all of the people all of the time.

#### CHARITY GOLF TOURNAMENT

**Mr Ted Chudleigh (Halton):** I'd like to take this opportunity today to address an issue that both is exciting and rewarding for my constituents and myself. In the past week, I have had the pleasure of presenting three cheques, each for \$3,700 to three seniors centres in Halton. The funds were raised through the efforts of a lot of hard-working people who helped organize the annual Ted

Chudleigh Charity Golf Tournament. Acton, Georgetown and Milton seniors recreational centres were the happy recipients of these cheques. After four successful years, the tournament has raised a grant total of \$36,000 for seniors in Halton.

I'd like to extend my greatest appreciation to the many participants, including my colleagues the Honourable Frank Klees, Marcel Beaubien, John Hastings and Joe Spina and renowned jockey Sandy Hawley, who all played in the tournament. Former Minister of Transportation James Snow and former MPP Doug Kennedy have also helped make the day memorable.

Special thanks goes to the Honourable John Snobelen. The minister has excelled as the tournament's auctioneer for the past three years, raising bids and dollars where perhaps many people thought that none existed.

As I have stated in this House before, seniors in Halton and across Ontario have made tremendous contributions to our province. Through tournaments and fundraisers such as this golf tournament we have the means to recognize these contributions and give something back to those who helped build our communities and our province into one of the best places to live, work and raise a family in the world.

I believe sincerely, along with the rest of my colleagues, that Ontario's best days are ahead of us.

#### HOSPITAL RESTRUCTURING

**Mr Dwight Duncan (Windsor-St Clair):** Earlier today, the Ontario Hospital Association released its Canadian in-patient survey of all hospitals in the province. Windsor was the first community in Ontario to enter into restructuring, some seven years ago. At that time, the people of Windsor were promised that two outstanding health care facilities would be left after the process was finished.

We've got the results for those two hospitals. In one case, under patient satisfaction, every indicator is found to be below average. In the other hospital, most of them are found to be under.

The government will say it's the nurses' fault; it's the doctors' fault; it's the administration's fault. We say it's not their fault. It's not the fault of doctors; it's not the fault of nurses. It's the fault of a government that has continually underfunded our hospitals and broken repeated commitments to our hospitals in terms of quality care and excellence.

Officials at those hospitals have indicated to me that there is even more information behind this. We're going to get that information too. I'm confident that it too will show that the lack of patient satisfaction, that the critical situation in our emergency rooms, is not the fault of anyone other than the Mike Harris government, who have set us on this dangerous course that's undermining and has undermined one of the finest health care systems in the world and left our true professionals out in the cold with no meaningful support.

### WALTER BEAN GRAND RIVER TRAIL

**Mr Ted Arnott (Waterloo-Wellington):** In the 19th century, the Grand River drew waves of pioneers to Waterloo region and Wellington county. Today, on the cusp of the new millennium, the Grand River continues to be a major attraction for tourists visiting our area, and it will be even better with the completion of the Walter Bean Grand River Trail.

Based on the guidance of the Grand River Conservation Authority, the trail will wind along the river's shores for almost 75 kilometres, offering a spectacular experience in wildlife appreciation, historical discovery and recreational fun. The trail will connect Cambridge to North Dumfries township, to Kitchener-Waterloo, and on through Woolwich township. Outdoors lovers, students or families will have plenty to see as they hike, bike, canoe or cross-country ski their way along this beautiful and historic river.

To quote Doug Letson, president of the Walter Bean Grand River Community Trails Corp, from his recent article in the Kitchener-Waterloo Record, "A stroll along the trail ... can be a walk back into history as well as an introduction to the environment we share with the flora and fauna which populate the river's shores."

I commend the volunteers of the trails corporation, especially Doug Letson and the 14 board members, as well as the planning work of the Grand River Conservation Authority staff and the generosity of corporate sponsors like the Economical Insurance Group, who have paid for a park along the trail, and private sponsors such as the Marsland and Simms families.

I encourage everyone to consider pledging support to this very worthwhile initiative.

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### INTRODUCTION OF BILLS

#### TALPIOT COLLEGE ACT, 1999

Mr Colle moved first reading of the following bill:  
Bill Pr16, An Act to incorporate Talpiot College.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

#### TENANT PROTECTION AMENDMENT ACT (TOWARDS FAIRNESS FOR TENANTS), 1999

#### LOI DE 1999 MODIFIANT LA LOI SUR LA PROTECTION DES LOCATAIRES EN VUE DU TRAITEMENT ÉQUITABLE DES LOCATAIRES

Mr Caplan moved first reading of the following bill:

Bill 36, An Act to ensure fairness and reasonable access to justice for Ontario's tenants by amending the Tenant Protection Act, 1997 / Projet de loi 36, Loi visant

à assurer aux locataires de l'Ontario un traitement équitable et un accès raisonnable à la justice en modifiant la Loi de 1997 sur la protection des locataires.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr David Caplan (Don Valley East):** If passed, this bill will do several things. First, an application to terminate a tenancy for arrears or for eviction will automatically go to a hearing, and written disputes will no longer be obligatory. All applications and notices will be given to individuals directly by the Ontario Rental Housing Tribunal rather than being served by the applicants.

This bill also prohibits above-guideline increases where there are outstanding work orders present.

This bill, if passed, would ensure the Ontario Rental Housing Tribunal would update the credit records of tenants when payments have been made or eviction orders have been withdrawn, contrary to today's practice. Eviction orders that have not been executed will expire after six months.

Finally, additional catch-up increases that exceed the guideline, often called maximum rent, will no longer be permitted.

I am pleased to be able to introduce this bill that protects tenants' rights. These are sensible and needed changes to make the process work. I've had tremendous input on this bill from people all over the province, but I'd specifically like to thank the members of the Tenant Advocacy Group—Joe Myers, Ken Hale and Elinor Mahoney—as well as Jennifer Ramsay of CERA and Howard Tessler of FMTA for their invaluable contribution in drafting this bill.

I urge the government to call this bill as soon as possible and give it speedy passage.

#### COLLECTION AGENCIES AMENDMENT ACT, 1999

#### LOI DE 1999 MODIFIANT LA LOI SUR LES AGENCES DE RECouvreMENT

Mr Runciman moved first reading of the following bill:

Bill 37, An Act to amend the Collection Agencies Act / Projet de loi 37, Loi modifiant la Loi sur les agences de recouvrement.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** I'm pleased to introduce amendments to the Collection Agencies Act, amendments which remove restrictions on foreign ownership of Ontario-based collection agencies. These changes would reduce red tape, attract foreign investment, create jobs and contribute to improvements in Ontario's competitive position.



## GENOCIDE MEMORIAL

WEEK ACT, 1999

LOI DE 1999 SUR LA SEMAINE  
COMMÉMORATIVE DES GÉNOCIDES

Mr Wood moved first reading of the following bill:

Bill 38, An Act to proclaim Genocide Memorial Week in Ontario / Projet de loi 38, Loi proclamant la Semaine commémorative des génocides en Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Bob Wood (London West):** This bill proposes to designate the week beginning the third Monday in April of each year as Genocide Memorial Week in this province. It is hoped that as more Ontarians consider how and why genocide has occurred, we will be able to make a greater contribution to the worldwide cause of making sure that genocide never again happens on this planet.

UNIVERSITY OF OTTAWA  
HEART INSTITUTE ACT, 1999LOI DE 1999 SUR  
L'INSTITUT DE CARDIOLOGIE  
DE L'UNIVERSITÉ D'OTTAWA

Mrs Witmer moved first reading of the following bill:

Bill 39, An Act respecting the University of Ottawa Heart Institute / Projet de loi 39, Loi concernant l'Institut de cardiologie de l'Université d'Ottawa.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** This bill would permit the University of Ottawa Heart Institute to provide cardiac services to the patients of the Ottawa Hospital in accordance with the service agreement entered into between the institute and the hospital.

The Minister of Health and Long-Term Care is authorized to pay grants, make loans and provide financial assistance directly to the institute on the same terms and subject to the same requirements that are applicable to public hospitals under the Public Hospitals Act.

## ORAL QUESTIONS

## JUDICIAL APPOINTMENTS

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Chair of Management Board. You've got to give Mike Harris credit—

*Applause.*

**The Speaker (Hon Gary Carr):** Order. The leader of the official opposition.

**Mr McGuinty:** I guess that's what's known as a dangerous pause.

If there's one thing that your Premier is particularly adept at it is looking after himself and looking after his

friends. Yesterday he managed to do both when he appointed his long-standing friend, party stalwart and former Tory candidate to the job of Environmental Commissioner. Today we learn that the Premier is at it again. This time he wants to appoint another good, close and personal friend as the new judge in his hometown of North Bay. But there is a problem. The members of the non-partisan, objective, arm's-length Judicial Appointments Advisory Committee are refusing to fix this appointment for the Premier and as a result the appointment of a judge in North Bay is on hold and court backlogs have doubled.

As a government that is ultimately responsible for the administration of justice in Ontario, tell me, Minister, do you not agree that it is entirely wrong to bring politics into the appointment of our judges?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** Let me be clear on this. If the member opposite is alleging that there's been any interference by any member of this government in the judicial appointment process, I challenge him to make that statement outside the Legislature where he's spared the parliamentary immunity that he enjoys in this House to throw around reckless allegations. I also want to state categorically and for the record that the integrity of our Premier and our Attorney General is absolutely without question.

As for his other preamble part about the Environmental Commissioner, he knows full well that no political party put forward a recommendation; that came through another process, and if he has a question on that, I know our House leader is more than willing to answer that.

**Mr McGuinty:** This government feels that the best defence is to be offensive. What we're talking about here is an arm's-length judicial appointment process that has been on the books in our province for 10 years. There has been a tradition to make those appointments within two to four weeks of receiving the list from that group of people who on a voluntary basis select the very best candidates and put them on a short list. That short list was delivered to your government in June, six months ago. No appointment has been made, and as a result, there is a very real risk right now that criminals who are facing criminal trial will be set free because they are waiting so long for a judge to be appointed in North Bay. The reason behind the delay is that the Premier's close and personal friend has not been made part of that list.

I will ask you now, Minister, do you really think it is appropriate to reintroduce politics into the matter of judicial appointments in Ontario?

**Hon Mr Hodgson:** The Leader of the Opposition talks about offensive; that's the most offensive statement I've heard. As the member opposite surely knows, as everyone in this House knows, there is a process by which judges are appointed in this province and it's a process that was put in place in 1988 by the Liberal government of the day. Under that process, the Judicial Appointments Advisory Committee brings forward a list

of qualified applicants for review by the Attorney General. It would be inappropriate for me, the Premier or any member of this Legislature, with the exception of the Attorney General, to have any knowledge of the specifics of any vacancies or applications to these vacancies currently being considered. He knows that full well.

**Mr McGuinty:** For the first time in 10 years since this objective, arm's-length, impartial committee has been established, we are witnessing a case where it has taken your government six full months. You've been applying the brakes for six full months. You've been putting a freeze on this appointment process for six full months, when it comes to the appointment of a judge in the city of North Bay.

The judicial appointments committee did its job. They put forward the names of six qualified, competent candidates. For some reason, your government, a government that has for the first time in 10 years done so, has decided they don't like the names that are on that list. It's perfectly obvious, because the list does not contain the name of one personal friend of Mike Harris. That's what this is all about.

I ask you again: Do you really think it's appropriate to reintroduce politics into the appointment of our judges in Ontario?

1400

**Hon Mr Hodgson:** Today's report in the Globe and Mail and the Leader of the Opposition's question do concern me, both as a member of this Legislature and as a citizen of the province because, as most people know, this is an independent advisory committee. This independent advisory committee's work, and the privacy under which they operate, appears to be violated.

I'm aware that other governments in this country follow different processes in appointing judges. If the member opposite is suggesting that we look at a different process, I'd be more than willing to pass those suggestions on to the Attorney General.

#### MAGNETIC RESONANCE IMAGING

**Mr Dalton McGuinty (Leader of the Opposition):** My question is to the Minister of Health. You aren't just presiding these days over the decline of health care in our province; you are presiding over the dismantling of medicare itself.

People today in Ontario are now paying cash to jump the queue for MRIs. And they're not just shuffling off to Buffalo; they're buying them right here in Ontario. All they need to jump the queue today in Ontario is a note from their doctor and a certified cheque for \$1,000. If you've got a thousand bucks, you get your MRI in two or three days. The rest of us have to wait seven or eight long months.

If that's not two-tier health care today in Mike Harris's Ontario, what is it?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the Leader of the Opposition knows, we are fully committed to a publicly funded

health care system and the provisions of the Canada Health Act. However, I will tell you that third party usage of MRIs actually was introduced by the NDP in 1992 by the passage of a regulation. This third-party passage and usage of MRIs does not violate the Canada Health Act nor the Health Insurance Act.

However, I can assure you that the Ministry of Health is investigating the matter to which I believe you are referring, and if it is discovered that the hospital is illegally doing this then it will be directed to stop.

**Mr McGuinty:** This is not about corporate third parties or insurance companies. This is now about private citizens jumping the queue if they have available to them \$1,000 in extra dollars.

A patient, a doctor and a reporter all called a private company and they were all told they same thing: If they had the cash, they could get an MRI within days without leaving Ontario, and the MRI was going to be done at a hospital in Mississauga. This is a direct violation of the Canada Health Act. That act says that we are all entitled to quality health care in a timely way. That act says nothing about if you've got an extra \$1,000, you get to jump to the head of the line.

Minister, this is a direct violation of the Canada Health Act. It is giving preference to citizens in our province who have an additional \$1,000 to spend on their own health care. What are you going to do about this violation of the Canada Health Act?

**Hon Mrs Witmer:** I guess the Leader of the Opposition had his second question ready, because I've already responded.

**Mr Gerry Phillips (Scarborough-Agincourt):** You didn't answer, Elizabeth. What are you going to do?

**Hon Mrs Witmer:** I have indicated that the Ministry of Health is investigating the matter, and if the hospital is found to be charging patients illegally, then it will be directed to stop.

**Mr McGuinty:** Minister, let's take a moment to understand why this is happening. This is as a direct result of your government cuts made to health care. Why are hospitals today in Ontario selling MRI services? Because you cut funding to hospitals. They are now cash-starved. They're running deficits and they are in desperate financial straits. They're selling MRI services for the same reason they're turning away ambulances from our emergency departments: because they are cash-starved. This is all the result of you and your unhealthy obsession with cuts to health care.

Minister, tell me one more time, how could you possibly cultivate conditions such that hospitals today in Ontario are charging for MRI services, charging a charge to private citizens in Ontario which is obviously in breach of the Canada Health Act?

**Hon Mrs Witmer:** I'm actually very proud of our health record on MRIs. We are the province in Canada that has almost half of all the publicly funded MRIs in Canada. In fact it was our government that increased the funding for MRIs from \$150,000 to \$800,000 per year, and we are the government that is making the MRIs



available for people throughout Ontario. We will have about 35 up and running. As I say, that is about half of all the MRIs in Canada. We have increased funding substantially from what the NDP were paying. They were paying \$150,000, we're paying \$800,000, and we will continue to ensure access.

### JUDICIAL APPOINTMENTS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Acting Premier. We learned today that your efforts to put political friends of the Premier in positions of high influence doesn't end with the Environmental Commissioner, it also goes into the judiciary. I want to ask you a question about the Judicial Appointments Advisory Committee. This is a quote from their 1997 annual report:

"The committee has established criteria and proceedings that have resulted in a fair and impartial process for the appointment of judges to the Ontario Court (Provincial Division), one that it hopes has assisted in removing any perception of unwarranted political bias or patronage in appointments to the judiciary."

That's what the annual report says. That's the work they've been doing. Can you tell me why your government has refused to appoint the individuals put forward by this committee? Can you tell me why months have gone by and the names of individuals selected and put forward by this committee haven't been appointed by your government?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** As the leader of the third party knows, and everybody in this Legislature knows, the process was put in place in 1988. I think your quote is accurate and our government has done nothing but support that process. In regard to supporting that process, you would know that it would be inappropriate for me or the Premier or any member of this Legislature, with the exception of the Attorney General, to have any knowledge of the specifics of any vacancies or applications for these vacant positions currently being considered by this independent advisory committee.

**Mr Hampton:** Acting Premier, what this is about is the fact that where you've got something that sets out that judges should be independent, that there should not be any indication of political interference, your government is trying to find a way to stonewall around this.

I want to read you another piece. This is from the policies and procedures manual of the Environmental Commissioner of Ontario, section 7.2: "The high conflict of interest threshold is more stringent for offices of the provincial Legislature, such as the Environmental Commissioner, which performs an independent review of the provincial government." The threshold is higher for the Environmental Commissioner.

Can you tell me why, if the threshold is higher—and it's actually set out in the manual—your government believes that it's OK to appoint someone who has such obvious political connections, who is so obviously a

political friend of the Premier, who obviously can't meet this threshold? Does independence here not matter, just like independence of the judiciary doesn't matter to you?

**Hon Mr Hodgson:** I think the leader of the third party knows that questions on the Environmental Commissioner were ruled by the Speaker to be out of order yesterday. He's trying to get away with a little bit of political licence here. However, in regard to the judicial appointments process, I would agree, we have a process that's been in place since 1988. It's supposed to be impartial, it brings forward a list of candidates and only the Attorney General should know the specifics on that.

If he's suggesting that this process needs to be changed or improved, I'm aware that other governments in the country, as I've mentioned to the Leader of the Opposition, have different processes for appointing judicial appointments. If he has any suggestions on that, I know the Attorney General would be more than willing to look at them.

1410

**Mr Hampton:** I believe the Acting Premier used the term "the process supposed to be followed." That's what we're asking your government to do: Follow the process that's been put in place. Follow the process that's going to guarantee some fairness and is going to guarantee there isn't political interference. That's what you've failed to do.

The fact is that the judicial appointments committee has put forward names. They've gone out there, they've done the interviews, they've talked to the candidates and they have put forward the names of candidates who in their view are qualified to serve. Your government refuses to appoint them.

We just went through an appointments process with the Environmental Commissioner, and what came out of it? Someone who ran for the Conservatives in 1995, who ran in 1997, is president of the Premier's own riding association and has a list of connections with the waste disposal industry and the worst side of the forest industry in the whole province. What this is about is this: Do you believe that every position around here should be a political appointment for your friends, or do you believe in the independence of judges and do you believe in the independence of the Environmental Commissioner? If you do, stop your process, stop meddling in a good

**The Speaker (Hon Gary Carr):** The member's time is up. Chair of Management Board.

**Hon Mr Hodgson:** This is obviously the leader playing politics. He knows I can't answer questions on the Environmental Commissioner, yet he persists in mudslinging. He knows there are other venues for him to make his point. He had the opportunity to put forward candidates.

In terms of the judicial appointments process, yes, it does concern me. It should concern every member of this Legislature that the privacy of this independent advisory committee appears to be violated, that you and the Leader of the Opposition pretend to know inside details which should be confidential. So if you're saying that

that process has been violated, I would express my concern about that as well and I know the Attorney General will have to look into that.

### TEXTBOOKS

**Mr Howard Hampton (Kenora-Rainy River):** My next question is for the Minister of Education. I'd say to the Acting Premier that it's pretty obvious what you're trying to do around here. You don't have to rely on any secrecy.

To the Minister of Education: You will know that the new curriculum for Grade 9 French requires a new textbook, but the textbook will not be ready until May of next year. But your ministry and you have set a deadline to have the books ordered by December 15. The Ottawa board of education has asked the government to extend this. Why? Because the only textbook that is there now is not suitable. It's not suitable for the core French program. But you've gone out and said that they must order a textbook despite the fact that the textbook that's being designed for the new curriculum isn't ready yet.

Can you explain to me, Minister, why your government has money to waste on this kind of political propaganda, but when people want to do a good job of ordering textbooks, you tell them, "Don't worry about it, order what's there."

**Hon Janet Ecker (Minister of Education):** First of all, this government has over \$500 million dedicated just to the purchase of textbooks. Now I know some school boards have used some of that money for other purposes. Those trustees are elected to do that; that is their judgment call. But we have put forward over \$500 million specifically for textbooks and learning materials. There are over four million textbooks alone, not counting all the other learning materials that have got to go out there and have gone out there for teachers. Are more needed? Yes, absolutely, and we'll be putting out another RFP call for further materials next year as part of our rollout of the curriculum.

If anything inappropriate has occurred in terms of deadlines put on or textbooks that are put on that list, the ministry doesn't do that; it's experts in the field that make recommendations about what the appropriate materials should be, and if there's anything that's inappropriate on that, I'd be very pleased to look into that to ensure that these materials are out there for teachers to use.

**Mr Hampton:** Minister, you can try to swing that line. The fact is that it is your ministry and it is your office telling the Ottawa board that they must order the textbooks, even though the textbook that is designed for the curriculum won't be available until May. That is your doing—not someone else, not some invisible bogeyman out there. It is your doing, and it is your government that is sending this kind of propaganda nonsense into the schools when students don't have the French textbook they need, don't have the math textbook they need, don't have the science textbook they need.

Just a very simple question: Will you get on the telephone today, call the Ottawa board, call the other boards that are concerned about this, and tell them that you will give them the time they need so they can order the textbook designed for the course? Don't force them to spend money, as you have, on books that are inappropriate for the school, on books that students don't want, don't need and don't teach the course. Will you do that simple thing to fix the problem you've created?

**Hon Mrs Ecker:** First of all, I've already said if there's anything that's inappropriate that has happened in this process—and it's not my office that runs this process, and he knows that very well. He's again trying to play politics here. It is the curriculum clearinghouse, it is officials, it is educators, it is teachers. They are all involved in developing and writing materials. They're all involved in recommending what materials boards need.

If he is so concerned that somehow or other the textbooks should reflect the curriculum, maybe he should look to his own government's record. They didn't have materials that were written for curriculum. They didn't have a comprehensive curriculum from grade 1 to grade 12. It had never occurred to them to do that.

We are the first government in decades that has had a comprehensive curriculum from kindergarten to grade 12, and we have materials written specifically for that. They never thought to do it. They didn't think it was important. We think it's very important and we've got over \$500 million out there to help do that so our kids get a better curriculum and our teachers can teach it better so that we can have better students out there and their certificates, their diplomas, when they go out there to the employers, mean something—

**The Speaker (Hon Gary Carr):** The minister's time is up.

### HOSPITAL FUNDING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My question is for the Minister of Health. The report card on hospitals came out today and it backs up what the president of the Ontario Hospital Association said on CBC Newsworld this morning and what we've been saying for the past two years: The main problem with our hospitals is the difficulty of getting into one. We've seen how true that is when it comes to getting into emergency care. Now I want to draw your attention to one of the areas in the report card that is very troubling.

The report tells us that fewer people are getting into hospital with conditions like asthma, pneumonia, heart failure, intestinal bleeding and stroke—all emergency conditions. It says, "Hospitals have been able to reduce the length of stay in hospital for patients ...; however, re-admission rates are higher, and complication rates have increased for some conditions."

That's what your efficiency drive has led to. There aren't enough beds, so people can't get in, they get sent home early, they come back sicker. Once again, this is all about not having enough beds to meet the need. When



will you commit the funding to reopen at least some of the acute care beds you have closed?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** If the member opposite also takes into account what has been said by the Ontario Hospital Association, I think personally that they were quite pleased with this very first report. It is the most comprehensive look at hospital performance and patient satisfaction done anywhere in Canada, and I want to congratulate the Ontario Hospital Association for undertaking this look at performance and satisfaction.

Presently, at the Ministry of Health we are reviewing the report, and we're very pleased to see that, overall, hospitals are performing very well. In fact, patient satisfaction is above average in Ontario hospitals. Obviously, this is a blueprint which will enable hospitals and the Ministry of Health to take a further look at, where there are changes that are needed, they can be made.

1420

**Mrs McLeod:** Minister, you cannot keep refusing to deal with the most obvious need in our hospital system. You have simply cut back our hospitals too far.

David MacKinnon said this morning that hospitals should never be operating at more than 90% occupancy. Now they're always 95% full. He said that has never happened before. Our hospitals are doing their best because of the efforts of front-line staff, but doctors and nurses are working under incredibly stressful conditions.

Minister, 92% of nurses said that they have seen a decline in health care since you launched your reforms; 88% of them said that understaffing has reached the level of unsafe conditions; 91% said that the current nursing workload is unsafe for nurses themselves.

In the meantime, hospitals are going into debt trying to manage your cuts and keep up a standard of care. Your Premier said this week that there would be more money if it's needed. It is needed. I ask you, when will our hospitals see the more money they to meet patient needs?

**Hon Mrs Witmer:** As the member opposite knows, our government, despite the fact that we have seen tremendous cutbacks by the federal government, continues to provide additional money for health care. In fact, the increase, as she well knows, has been from \$17.4 billion to \$20.6 billion. If only your federal cousins had lived up to their obligations and recognized the increase in needs of people in Canada and in this province.

We have continued to meet with the hospitals in the province of Ontario. We met with the Ontario Hospital Association yesterday, and I think we've made it abundantly clear that in the past we have responded to needs. We have made additional financial resources available, and our plan is to do so in the future.

#### HEALTHY FUTURES FOR ONTARIO AGRICULTURE PROGRAM

**Mr Ted Chudleigh (Halton):** My question is to the Minister of Agriculture, Food and Rural Affairs. Members on all sides of this House are well aware that this

government, and you personally, Minister, have made getting a fair share of federal safety net dollars for our food producers a key issue. Farm organizations province-wide and in my riding are certainly fully behind this initiative.

These same organizations are aware that in the spring budget this government made a commitment to a Healthy Futures program as well. This morning, some of them were present when you launched the Healthy Futures program in my riding at the farm of Marion and John Glasgow, where many of my constituents go to pick apples, fish in a well-stocked trout pond and purchase exceptionally delicious fruit pies in the fall. Pardon the advertisement.

This program will be of interest not just to the farmers but to the consumers and rural residents as well. Can the minister outline the objectives of this initiative, please?

**Hon Ernie Hardeman (Minister of Agriculture, Food and Rural Affairs):** Thank you to my colleague from Halton for the question and for his hospitality this morning, as we made the announcement about the Healthy Futures program for agriculture in Ontario. I would agree with my colleague that the Healthy Futures program should be of interest not just to the agriculture community but to rural residents as well. Not only that, but it will also create jobs in the province.

The Healthy Futures initiative will focus on three areas: rural water quality, field-to-fork safety and quality, and a Healthy Futures innovation component.

The rural water quality component will focus on implementing best management practices and technologies in the agri-food sector to safeguard water quality and quantity in rural Ontario.

Field-to-fork safety will help the agri-food sector maintain and expand our domestic and export market opportunities with regard to food safety and quality.

The Healthy Futures innovation component will support applied research, new product development, expanding market access and adapting development to new technologies to enhance food safety and quality.

**Mr Chudleigh:** Back in the spring budget this initiative was announced as a one-year, \$35-million program. This morning I noticed the minister had some extra good news for those in the industry, who believed that such a far-reaching program needed more than one year.

I also noticed that the minister was successful in more than just extending the time frame, which will be for more good news for our farm and food sectors. Can the minister give some particular details on the initiative we announced this morning?

**Hon Mr Hardeman:** I want to take this opportunity to thank my caucus and cabinet colleagues for their support in seeing the value in this initiative. The Healthy Futures initiative that I announced this morning is now a four-year, \$90-million program. We worked closely with the agri-food industry to identify what the industry and consumers needed.

As the member knows, Ontario has a \$25-billion agri-food industry, the largest in the country. The agri-food

exports are \$6.2 billion, again the largest in the country. We're confident that through initiatives like healthy futures, our industry will be better prepared to secure those markets.

Information about the program is up on the ministry Web site. In the coming weeks I hope to announce the names of the industry panel which will be responsible for making recommendations for funding the best projects of those received. Again, I thank you very much for the question.

### HOSPITAL FUNDING

**Mr Dwight Duncan (Windsor-St Clair):** I have a question for the Minister of Health, and I'm referring to the Canadian in-patient survey that was released earlier today by the Ontario Hospital Association, with specific reference to the Windsor hospitals. In 1994 my community was promised two centres of excellence when we completed the restructuring process. That promise was repeated again by your immediate predecessor in the Harris government and it has been repeated by yourself. Interestingly enough, today the hospital findings for Windsor are that patient satisfaction at one hospital is below average on every count; it's below average in a number of other counts as well. In the second hospital it's below average on 50% and at average in the others.

Minister, the clear commitment has been made by you. The nurses, the doctors, the front-line administrators and our community are all working together for the best possible health care, yet our hospitals are left with a \$10-million deficit. What are you going to do to ensure that the next time this survey is done our hospitals are above average? Because the only reason they're below average now is due to your inaction and your inability to deal with our situation. What are you going to do to help our hospitals and help our front-line professionals?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As I said in my initial comments, I think we have to congratulate the Ontario Hospital Association for having the courage to take a comprehensive look at hospital performance and patient satisfaction, because I think we are all interested in ensuring that our hospitals are performing as well as they possibly can. We want to have an effective and efficient hospital system. I think that by reviewing the report and doing everything we can, we can ensure that further improvements are made to improve the quality of care in the future. As I've said before, our government certainly has been very responsive to the needs of the Ontario Hospital Association and we will continue to support them with the funding that is required and that is needed.

**The Speaker (Hon Gary Carr):** Supplementary.

**Mr Rick Bartolucci (Sudbury):** Minister, let's get perfectly honest here. You're inferring by your answers to Mrs McLeod and Mr Duncan that it's the hospitals' fault. It's not the hospital administrators' fault, it's not the nurses' fault, it's not the doctors' fault, it's not the cleaning staff's fault—it's your fault, it's Mike Harris's

fault. In Sudbury, over the course of the last two years, we've run deficits of \$7.5 million and \$8 million, respectively. Minister, that's your fault, not our fault, not Sudbury's fault.

Commit today to ensure that the Sudbury Regional Hospital gets its cheque for \$8 million so that its deficit is erased and we can hire more nurses, open more beds, hire cleaning staff to clean our hospitals. They're working as hard as they can. You have to make a commitment. Make that today.

**Hon Mrs Witmer:** First of all, for the record, I'd like to make it abundantly clear that I made no assertions of blame whatsoever. The members opposite seem to be indicating that someone's at fault. The reality is that we all need to work together. Our health system in this province needs the co-operation of each and every individual, including yourself, and the first step you can take is to work with your federal cousins and get back the transfer payments that have been taken away from the people in this province.

Let me tell the member for Sudbury that in Sudbury we have increased—

**The Speaker:** Answer.

**Hon Mrs Witmer:**—health spending by over \$70.4 million since 1995. In fact, if we take a look throughout the health system—

**The Speaker:** Order. The minister's time is up.

1430

### OCCUPATIONAL HEALTH AND SAFETY

**Mr R. Gary Stewart (Peterborough):** My question today is for the Minister of Labour. The Greater Peterborough Safe Communities Coalition is celebrating the announcement of funding for the Peterborough Passport to Health and Safety pilot project. They have been delivering the program to area schools and colleges for the past two years and have been making significant progress in ensuring that our youth become aware of the dangers in the workplace.

Minister, can you explain to my colleagues what this program is all about?

**Hon Chris Stockwell (Minister of Labour):** I'd be happy to. I want to first say that—

*Interjection.*

**Hon Mr Stockwell:** How can you heckle that? All I said was, "I'd be happy to."

I would like to say first to Mr Stewart from Peterborough that he's the biggest advocate and supporter of this program and he deserves a big round of applause for his work in Peterborough on this project. He took me to Peterborough and allowed me to meet with the coordinator of the program, and I was very impressed with the program. Today there's going to be a cheque delivered, I guess, for \$130,000 for the community program to be put in place. The program's goal is to educate young workers about workplace health and safety, and we can all agree on that, I'm sure. The partnership is with business, community groups and the education sector, and



students complete various health and safety courses. You get a documented passport when you actually pass the process. You then present that to an employer when you apply for a job.

This program is so good I think the Liberals may like it.

**Mr Stewart:** Thank you, Minister, for your comments. I would like to give a very sincere thank you and congratulations to a lady by the name of Mary Jane Smith, who has been the driving force, through the Peterborough Chamber of Commerce, behind this program. Congratulations, Mary Jane.

Minister, can you tell this House what your ministry hopes to accomplish by the program and what long-term effect it will have on all business and industry?

**Hon Mr Stockwell:** Just a brief synopsis of the program: It's basically to educate young people to the accidents and injuries that are possible at work sites. It's to increase awareness.

In Peterborough, the program was designed primarily to eliminate workplace injuries. The students become aware of how to work safely. The employer gains safety-conscious young workers, which is obviously a good goal as well. The community gets to promote the area with a positive safety record.

The success of this pilot project gives us an opportunity to put this province-wide. I think everyone in this House would agree that an educated young worker who is going into a new job who has a knowledge of how to work safely is a very important thing for us. It obviously helps us financially, with WSIB.

**Mr Gerard Kennedy (Parkdale-High Park):** Have you mentioned Mike Gravelle?

**Hon Mr Stockwell:** Oh listen, Mr Gravelle brought forward his private member's bill last week. He's trying to implement the same kind of program in Thunder Bay that we have operating in Peterborough. I agree it's a wonderful idea. I wouldn't suggest for a moment that it's a unilateral program that can only work in Peterborough. It can work around the rest of the province. I have worked very well with Mr Gravelle to try to help him put together a process that would put it together —

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up.

#### EMPLOYMENT PRACTICES

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Labour as well. Your government is now on record as coming to the aid and assistance of millionaire NHL hockey players. You have engineered a \$16-million tax subsidy for NHL millionaires. I want to ask you about someone else who works in professional sports. I want to ask you about someone named B.J. Birdy, who for 20 years has given dedicated service to the Toronto Blue Jays. During that 20 years, even though he was often on call, attended charity events and went way above and beyond the call of duty, he was never rewarded with a permanent employment contract,

always only seasonal contracts, never any employment benefits.

Given that your government is so anxious to help NHL millionaires, would you be willing to lend your services as the Minister of Labour to call up the Toronto Blue Jays and ask them if they could engage in some fair treatment of B.J. Birdy?

**Hon Chris Stockwell (Minister of Labour):** I'm not actually aware of the contract that Mr Birdy has or doesn't have, but I'd be very happy to receive any information that you have so he could be properly represented according to labour laws in this province. If anyone has abrogated any labour laws, of course, Mr Birdy would have every opportunity to appeal that before the proper tribunals we have.

Other than that, I certainly don't have any advance knowledge that the Toronto Blue Jays have, in fact, breached or abrogated any of the laws, particularly in this case.

**Mr Hampton:** This is the reality. Under the labour laws that you have now established in the province, under the employment laws that you have established, under the patterns of employment and work that you are encouraging in this province, B.J. Birdy is another one of those workers who is working two or three jobs: part-time, contract, temporary; never really has full employment status, never really has employment benefits. He is an example of the growing gap.

You've got money to subsidize NHL millionaires, but when it comes to someone who is working odd hours, extended hours, on call—"Whenever you ask me, I'll be there"—he can be ushered out the door with no severance pay, no benefits whatsoever.

What I'm asking you, since you were so willing to interfere in NHL hockey: Would you be kind enough to call up those people who run the Toronto Blue Jays and say to them, "In the interests of fairness, don't you think you could treat somebody who has given 20 years of dedicated service a little more fairly, a little more justly?" Do you think you could do that?

**Hon Mr Stockwell:** I want to thank the member opposite for the question and the helpful interventions as well. Let's be clear. We did not give millions of dollars of grants to the hockey teams. That is just not a fact in how it's stated. We've made that very clear.

Leader of the third party, your complaint is that a person like B.J. Birdy has an opportunity—or is forced as you say—to work two or three jobs. He has had a seasonal contract, as I understand, with the Blue Jays that gets renewed year after year for the past 20 years. The difference between your government and this government is—

**Ms Marilyn Churley (Broadview-Greenwood):** Here we go.

**Hon Mr Stockwell:** That's right.

The difference between your government and our is, Mr Birdy has an opportunity to work at two or three jobs in Ontario. When you were in power, he couldn't work at any job in the province. If you want to accuse us of

creating so many jobs that people get an opportunity to work at two and three—when you were in power they didn't get to work at all and the game plan was to put everybody on welfare—guilty as charged.

### HOSPITAL RESTRUCTURING

**Mr George Smitherman (Toronto Centre-Rosedale):** My question is to the Minister of Health. Under Bill 23, powers which were previously administered by the Health Services Restructuring Commission are now yours. As Ontario's hospital crisis swirls around you, the HSRC's decisions threaten to intensify the health risk for Torontonians, especially the decision to close the Wellesley hospital site by 2001.

Minister, will you commit today to reverse the HSRC decision to close these important acute care beds? Will you stay the Wellesley's execution.

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member knows, the commission did put forward recommendations. We are continuing to implement the recommendations of the commission and have the responsibility to do so. We have made some changes recently to some of the timelines for Runnymede and some of the other hospitals in the province. We continue to respond to requests in order to ensure that there is the accessibility within the system.

**Mr Smitherman:** It's clear that this House has granted you new powers and that, in the face of a crisis, you have an opportunity—in fact, you have a responsibility—to act. I'm going to give you one more chance to get it right. You know that the Wellesley emergency ward handles 33,000 cases a year, that the Wellesley houses a busy psychiatric ward that has already endured countless nights of redirect, that the required physical plant improvements at St Michael's Bond Street site are not complete and that St Mike's is currently enduring a budget shortfall that threatens to accelerate the closure of the Wellesley site and this health care crisis in Toronto.

Minister, you have a choice. Commit today to protect the health of our citizens. Give us your word that you will not shut any open hospitals nor close any open beds in Toronto.

**Hon Mrs Witmer:** As the member opposite knows, we are expanding the capacity for emergency room visits within the city of Toronto, and presently there is ongoing expansion in 56 hospitals in the entire province, and certainly within the city of Toronto the capacity will be increased by more than 15% when these constructions are complete.

1440

### FISH AND WILDLIFE MANAGEMENT

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Natural Resources. Minister, you recently announced new fees for resident hunting and angling licences. In your announcement you clearly

stated that all of these new fees would provide more funding for fish and wildlife management.

In my riding I have many constituents who take a real interest in fish and wildlife management. Minister, could you provide us with details on these new fees, and could you also guarantee all anglers and hunters that all fees will be used exclusively for fish and wildlife resources?

**Hon John Snobelen (Minister of Natural Resources):** I want to thank the member for Northumberland for the question. He's quite right. At the urging of the Fish and Wildlife Advisory Board, we have increased some of the fees for hunting and fishing. I can point to a few of these: The Outdoors Card remains unchanged at \$6, the annual fishing fee goes from \$15 to \$20, the annual conservation fishing fee goes from \$7.50 to \$12, and the one-day fishing fee remains unchanged at \$10. Those are the kinds of increases that have been contemplated.

The point, as the member points out, is that all of these fees go to a special purpose account for better science, better enforcement and improved habitat for wildlife in the province, and better fishing opportunities for everyone.

One thing that became very clear in this process is that the hunters and anglers in Ontario know the need and they're willing to help to pay for that need because they're the finest conservationists in North America.

**Mr Galt:** It's certainly great news to know that our government is committed to the conservation of fish and wildlife and that you are therefore spending the appropriate funds necessary for their management.

Minister, in the great riding of Northumberland fishing is certainly a very important sport and contributes significantly to tourism there. As a matter of fact, in Northumberland we have some of the best fishing in Ontario, particularly in the Ganaraska River in the west and the Trent River in the east, Rice Lake in the north, and on the south Lake Ontario and the Bay of Quinte.

Minister, as this is the first change in these fees since 1993, did you make this decision by consulting with your stakeholders, and how have they reacted to the fact that more funding will be provided to fish and wildlife management?

**Hon Mr Snobelen:** Having travelled the province for the last 24 months and talked to a number of anglers, I can assure the member that there are great fishing opportunities in Ontario, and if the anglers in Northumberland are anything like the other anglers I've met in Ontario, they won't like it that the member has now let everyone else in Ontario know how good the fishing is there.

That said, the Fish and Wildlife Advisory Board, which administers the special purpose account and helps us make spending to improve hunting and improve fishing in Ontario, gave this advice to us after consulting with anglers and hunters across the province. I had the privilege of meeting with that board in Thunder Bay a week or so ago, and I know that on their agenda was a meeting with several conservation clubs from that local area so they could get to know the issues for hunters and



anglers in that part of Ontario, as they are now doing across Ontario. So I can assure the member that we have done this with full consultation with some of those great conservationists we call Ontario's anglers and hunters.

### EMERGENCY SERVICES

**Mr Dominic Agostino (Hamilton East):** My question is to the Minister of Health. Last week we pointed out to you that on average for six hours per day, we have four Hamilton hospitals turning patients away from the emergency departments, a crisis you have created. What we now have seen this week is the Hamilton hospitals trying to deal with this crisis. You know how they're doing it, Minister? They're now admitting patients into hallways. They're now admitting patients to sunrooms. They're now placing patients next to nursing stations. There were 32 patients awaiting admittance from emergency departments, Minister. What is happening now with—these patients are in the hallways. They've been admitted. There is no nursing staff there. There's no equipment for them, Minister. There are no bells for them to call the nurse.

What they have done, clearly to try to deal with your crisis—we now have another crisis situation. We have patients without adequate care being admitted to the hospitals right now. Minister, there are 130 patients in long-term-care beds in our hospitals in Hamilton. The problem is that you promised 600 beds; not one single one of those beds has been delivered yet to date.

Minister, do you believe it's acceptable for patients who get admitted to hospitals in Hamilton today to be in hallways, to be admitted next to nursing stations, to be in sunrooms, and to be waiting without adequate care and protection?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member knows, our government is very, very committed to improving the health system for people in the province of Ontario. We have taken some very significant steps to ensure that the emergency room system is more effective. We were the very first government to recognize the pressures. We did undertake and set up a task force that made recommendations. We responded to all of the recommendations. We have flowed \$225 million.

We also recognized that there was a special need for assistance in Hamilton. As the member knows, Hamilton received part of \$90 million in transitional funding for emergency room relief. They, along with Ottawa and London and Toronto, did receive the additional funding. As you also know, we are presently meeting with the Ontario Hospital Association and with the ambulance services in order to take further steps to ensure that measures can be taken to improve the access.

**Mr Agostino:** Minister, you are so wrong. You don't understand the problem. These hospitals have a 98% occupancy rate. They cannot put patients there. They don't have the money to staff. They have a deficit in the range of \$30 million.

Let me tell you one of the answers. You talked about hiring 10,000 nurses. Let me read you a memo of December 7 from the chief operating officer of the continuing care complex at Chedoke in Hamilton. They have 148 patients. They have to reduce their budget by \$1.3 million. You know what they're doing? They're eliminating 24 full-time positions, most of them nurses, Minister. The 10,000 you promised—this facility is letting off 24. That is the reality.

I don't know what world you're living in, I don't know what fantasy you're in, I don't know what dreamland you're in, but it isn't the real world of health care in this province or in Hamilton. Do you not understand that? Twenty-four more nurses are going to lose their jobs—less nursing care, patients in hallways, patients getting turned away. How can you justify, Minister, with all the good news you've given us and supposedly all the wonderful things you've done, that this facility is now going to be laying off 24 more nurses and more patients will be waiting and there will be less adequate health care? Frankly, you are endangering the lives of Ontarians with your bull-headed and ignorant health care policies. What are you going to do to make sure these 24 nurses don't get laid off?

**Hon Mrs Witmer:** Again I would remind the member that it was our government that listened to nurses. In fact, we set up the task force, and the task force made recommendations. As you know, we are in the process of hiring more than 12,000 nurses. We are contributing an additional \$300 million-plus.

If we take a look at Hamilton, we have provided \$7.8 million in additional funding for nurses since 1995. In fact, health funding in Hamilton-Wentworth is up by \$215 million.

1450

### YOUNG OFFENDERS

**Mr Garfield Dunlop (Simcoe North):** My question today is for the Minister of Correctional Services. Ontario residents have repeatedly expressed concern about high rates of young offending for young offenders. Many parents feel the Young Offenders Act does not deter criminal behaviour. The public feels that young offenders must be held more accountable for their actions.

In 1997, our government started Project Turnaround in my riding of Simcoe North, a strict discipline program for 16- and 17-year-old offenders. It focuses on education, treatment and community work programs, all within a strict discipline framework. Our government's throne speech announced that this model would be expanded, not only in the young offender system but also in the adult system.

Minister, what steps will the Ministry of Correctional Services be taking to act on this decision?

**Hon Rob Sampson (Minister of Correctional Services):** I thank the honourable member from Simcoe North very much for his question. I know he has quite a

bit of interest in the way in which we are attempting to deal with the young offender challenge in this particular province.

We initiated the strict discipline model at Camp Turnaround just about three years ago so that we could pilot in Ontario a made-in-Ontario approach that dealt with the rehabilitation of young offenders in this province using a strict discipline correctional model. In contrast, of course, to the country club correctional model that the federal government chooses to use in its institutions, we believe that establishing respect and responsibility in an institution is the appropriate forum in which to provide rehabilitative services and training to the young offenders in this province.

**Mr Dunlop:** I'd like to thank the minister for his comments. Recently in the news there was mention of the operations of a boot camp in Maryland being suspended because of allegations of abuse. I was concerned to see a CP24 News story which said that Ontario's boot camp was modelled after the Maryland boot camp. It is my understanding that this is not true, and that this government in 1994 had appointed a Task Force on Discipline for Young Offenders to review Canadian and international strict discipline models for application in Ontario. Minister, could you please assure my constituents that this government did not Project Turnaround after the Maryland boot camp?

**Hon Mr Sampson:** I certainly want to assure the member that the particular project we are piloting north of Barrie is indeed a made-in-Ontario approach to how we deal with young offenders in this particular province. It's a made-in-Ontario approach, because it applies, within the environment of a strict discipline context, the appropriate rehabilitation programs for young offenders so they can learn to have some respect for themselves, respect for society, respect for the people who live in society and carry the responsibility for their actions. That's contrary to where the federal Liberals stand on issues such as young offenders, where they want to place the blame for young offenders violating the law on the shoulders of the victims—totally inappropriate.

We say in Ontario that strict discipline is the appropriate environment to provide the appropriate rehabilitation program for young offenders. We've modelled that in Barrie and we intend to expand that.

#### CANCER TREATMENT

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Health. Earlier this session, I raised the issue of cancer patients from northern Ontario who have to travel long distances to the Thunder Bay Cancer Treatment Centre but do not have their travel costs covered, yet someone coming from southern Ontario to the Thunder Bay Cancer Treatment Centre has all of their costs covered.

I want to ask you about Gladys Whelan. You would have received a letter from Gladys Whelan. She has cancer. She's had to travel three times from Fort Frances

to Thunder Bay. The cost of those three trips is now \$1,000 out of her own pocket. Her cancer specialist asked her to come to Thunder Bay again a fourth time, and she said: "I can't. I don't have the money. I can't come."

Minister, this is another example of someone who cannot receive the treatment they should receive because you treat cancer patients from northern Ontario like second-class citizens. Can you explain why you would pay the costs of someone who comes from Toronto, but someone from northern Ontario who has to go to the Thunder Bay Cancer Treatment Centre is told, "Pay your own, and if you can't pay your own, tough luck."

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** Since 1995 our government has increased funding for cancer services and cancer care by approximately \$155 million. During that same period, we also put in place Cancer Care Ontario to ensure that coordination of services would be provided to people throughout the province of Ontario. At present, Cancer Care Ontario is the agency that coordinates standards and guidelines for the treatment of patients who require services, and it is Cancer Care Ontario that has made the decisions regarding the funding.

#### VISITORS

**Mrs Sandra Pupatello (Windsor West):** On a point of order, Mr Speaker, an important point of order: The page from Windsor West, Caroline Dennis, has family members here today in the House—a sister named Natalie Cakebread and her brother-in-law, Andrew Pitt. They're here to visit their sister and page, Caroline Dennis.

**The Speaker (Hon Gary Carr):** That's not a point of order, but we do welcome them.

#### LEGISLATIVE PAGES

**The Speaker (Hon Gary Carr):** Speaking of the pages, I also understand there may be some pages who won't be able to be here next week, so I would like to take this opportunity for all the members to thank all the pages for their fine work here.

#### PETITIONS

##### MUNICIPAL RESTRUCTURING

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I am very pleased this afternoon to present a petition signed by literally hundreds of residents of Osgoode township, which petition reads:

"To the Legislative Assembly of Ontario:

"Whereas Bill 25, the Fewer Municipal Politicians Act, will see the amalgamation of all the municipalities of the region of Ottawa-Carleton as one city, we, the residents of the rural municipality of Osgoode township,



herein request the opportunity to determine our own governance model.

"We, the undersigned residents of the rural municipality of Osgoode township of the regional municipality of Ottawa-Carleton, do petition the Legislative Assembly of Ontario as follows:

"That the residents of the rural municipality of Osgoode township be allowed to determine their own model of governance, and therefore request that the Minister of Municipal Affairs initiate a process, including local negotiations, in line with the concessions granted to West Carleton township and the town of Flamborough, to determine whether the township should join the new city of Ottawa."

KARLA HOMOLKA

**Ms Marilyn Mushinski (Scarborough Centre):** On behalf of my friend and good colleague the MPP for Peterborough, Mr Gary Stewart, I have received a lengthy petition which he has circulated in his community, and it is again respecting Karla Homolka. I would like to read it as follows:

"To the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I am pleased to affix my signature to this petition.

#### MEDICAL LABORATORIES

**Mr Monte Kwinter (York Centre):** I have a petition to the Parliament of Ontario:

"Where the Ontario government has recently imposed a retroactive cap on revenue earned by medical labora-

tories for services provided under the health insurance plan; and

"Whereas the Ontario government has also required these businesses to refund revenue for services rendered in previous years where the amount of that amount revenue exceeds the retroactively imposed cap for those years; and

"Whereas this legislation amounts to expropriation of economic rights without adequate compensation or due process of law; and

"Whereas the greatest incentive to the provision of efficient and quality services and products by the private sector is competition and the ability to make a profit; and

"Whereas the removal of these incentives by government negatively affects all of society and particularly patients in need; and

"Whereas this type of legislation also unfairly discriminates against one sector of the society;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That adequate protection of property rights is needed to ensure that government cannot erode the property rights of certain sectors of society without fair compensation and due process of law."

I have affixed my signature to it.

1500

#### MUNICIPAL RESTRUCTURING

**Mr Brad Clark (Stoney Creek):** I'm very proud to present this petition on behalf of my constituents:

"To the Legislative Assembly of Ontario:

"Whereas on February 8, 1997, the citizens of Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek voted 95% against a supercity of Hamilton being imposed upon them;

"Whereas the only two elected government Hamilton-Wentworth MPPs both campaigned against a supercity of Hamilton being imposed upon their constituents;

"Whereas the duly elected councils of Ancaster, Dundas and Flamborough have voted to merge into the city of Wentworth and the duly elected councils of Glanbrook and Stoney Creek have voted to merge into the city of Stoney Creek;

"Whereas opinion polls have consistently confirmed that the majority of residents of Ancaster, Dundas, Flamborough, Glanbrook and Stoney Creek are strongly opposed to a supercity of Hamilton being imposed upon them; and

"Whereas the government made pre-election commitments not to impose a supercity on the residents of Hamilton-Wentworth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario must keep its pre-election promises and accordingly not impose a supercity of Hamilton on the residents of the current region of Hamilton-Wentworth."

### SCHOOL CLOSURES

**Mr Tony Ruprecht (Davenport):** The subject of this petition concerns the school closures in Toronto. It's addressed to the Assembly of Ontario and reads as follows:

"Whereas the Ontario government's decision to slash education funding could lead to the closure of many neighbourhood schools, including one of the most community-oriented schools like F.H. Miller Junior School; and

"Whereas the present funding formula does not take into account the historic and cultural links schools have with their communities nor the special education programs that have developed as a direct need of our communities; and

"Whereas the prospect of closing neighbourhood community schools will displace many children and put others on longer bus routes; and

"Whereas Mike Harris promised in 1995 not to cut classroom spending, but has already cut at least \$1 billion dollars from our schools; and

"Whereas F.H. Miller Junior School is a community school with many links to the immediate neighbourhood, such as a family centre, after-school programs, special programs from Parks and Recreation, and a heritage language program;

"Therefore, we, the undersigned citizens, demand that the Harris government changes the funding formula to take into account the historic, cultural and community links that F.H. Miller Junior School has established."

Since I agree with this petition, I'm signing my name to it.

### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I continue to receive petitions from Cathy Walker on behalf of the tens of thousands of auto workers in the province of Ontario.

The petition reads as follows.

"To the Legislative Assembly of Ontario:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances (carcinogens);

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to these carcinogens;

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances;

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

My NDP colleagues and I continue to support these petitioners and I add my name to theirs.

### KARLA HOMOLKA

**Mr Dan Newman (Scarborough Southwest):** I have a petition addressed to the Legislative Assembly of Ontario and it reads as follows:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I've attached my name to this worthwhile petition.

### SPECIAL EDUCATION

**Mr Gerard Kennedy (Parkdale-High Park):** I have a petition to the Legislature of Ontario.

"All children are able to learn; all children are unique in the way that they learn. Bishop Allen Academy is a community that welcomes, accommodates and celebrates our diversity.

"We, the undersigned, are concerned about the impact of the new funding formula on our students' well-being and on our community's values. We specifically object to a funding formula that requires teachers to describe students who have high learning needs as a composite of negative characteristics. Children and teachers are diminished in this process; a teacher's ability to see a student's



strengths and teach to that potential is undermined by this process.

"As there are better practices that ensure accountability to funders and parents, we respectfully request that the honourable Minister of Education replace the ISA funding formula."

I'm happy to affix my name to this petition and to note that this group of parents met with me the other night and are very concerned about the funding of special services for their children.

#### KARLA HOMOLKA

**Mr John O'Toole (Durham):** "To the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

This is presented on behalf of the MPP for Scarborough Centre, Marilyn Mushinski, and I'm pleased to sign it on her behalf.

#### DOCTOR SHORTAGE

**Mr James J. Bradley (St Catharines):** This is to the Legislative Assembly of Ontario.

"Whereas patients requiring eye care in Niagara are faced with a shortage of ophthalmologists and as a result, are compelled to wait several weeks to secure an appointment with an ophthalmologist;

"Whereas, while the shortage of ophthalmologists is in existence, the removal of the billing cap on these medical specialists provides a temporary but essential easing of the health care crisis;

"Whereas the solution of the Ontario Ministry of Health removing the exemptions of the billing cap and

forcing patients from Niagara to travel along the very busy Queen Elizabeth Highway to receive treatment in Hamilton;

"Be it resolved that the Ontario Ministry of Health remove the cap on billing for ophthalmologists in Niagara until such time as Niagara is no longer an underserved area."

I affix my signature as I'm in complete agreement with this petition.

#### PROTECTION OF MINORS

**Mr Garfield Dunlop (Simcoe North):** My petition is to the Legislative Assembly of Ontario.

"Whereas children are exposed to sexually explicit material in variety stores and video rental outlets;

"Whereas bylaws vary from city to city and have failed to protect minors from unwanted exposure to sexually explicit materials;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To enact legislation which will:

"Create uniform standards in Ontario to prevent minors from being exposed to sexually explicit material in retail establishments;

"Make it illegal to sell, rent, or loan sexually explicit materials to minors."

I affix my name to this as well.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands' work clothing; and

"Whereas similar cases are occurring in other areas of the province;

"We, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home."

As I support this petition, I add my name to it.

1510

#### KARLA HOMOLKA

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** This is a petition to the Legislative Assembly of Ontario.

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a

sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

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"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

In agreement, I affix my own signature to it.

#### TIME ALLOCATION

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I rise with respect to standing order 46, specifically standing order 46(e), and please permit me to indicate what my point of order is.

Government resolution 26 calls for debate on time allocation, on closure, on stifling the debate on the municipal restructuring bill this afternoon, with a vote this evening at 6:45.

Standing order 46(e) reads and I quote, "A time allocation motion may not be moved on the same calendar day that any of the bills that are the subject of the motion have been called as government orders."

My understanding is that we would in effect be dealing with the same matter being called twice by the government on the same calendar and that therefore the standing order itself is out of order. I would ask the chair's ruling on whether we could do both, that first we could do the debate on time allocation, and if we do that in the afternoon session, if we can in fact vote on it, and I again refer you to standing order 46(e).

**Hon Frank Klees (Minister without Portfolio):** On the same point of order, Mr Speaker: I really believe that the House leader for the official opposition is making presumptions as to when the government is going to call this, which I don't believe he's in a position to do, and therefore, his point of order is out of order.

**Mr David Christopherson (Hamilton West):** On the same point of order, Mr Speaker: On behalf of the NDP caucus, two very brief points.

One is that we would agree with the submission made by my counterpart from the Liberal Party with regard to the meaning of 46(e). I won't repeat those in the interests of time.

As a second point, let me also comment on the remarks of the chief government whip. The fact of the matter is that we had been informed, at the House leaders' meeting just this morning, that indeed it is the government's intention to call the same bill this evening. Therefore, unless the government is telling us that what they told us earlier is now no longer the case, why would we not believe the word of the chief whip and the government House leader as to what their intentions are today?

Therefore, the point of order is entirely relevant and we would like to have a ruling from you prior to getting into this afternoon and this evening's proceedings.

**Hon Chris Stockwell (Minister of Labour):** Mr Speaker, speaking directly to the point of order that's just been offered, the Speaker would have no knowledge of what takes place at a House leaders' meeting, and therefore couldn't possibly begin to rule on what did or didn't take place. Never has the Assembly come forward to a Speaker and asked him to determine what deals are made outside of this Assembly. So on that point of order, it's completely out of order.

Secondly, the ordering of this House is done by the government. If there is a point of order, and I'm not sure there is even then, it can only come to the Speaker's attention when the motion or order is called. It hasn't been called, so therefore how can it possibly be out of order.

**The Acting Speaker (Mr Tony Martin):** I'm going to, with all due respect, suggest that in fact that is correct. In the order paper of the day it simply says "to be announced." We don't know what's coming this evening. You've had discussions at the House leaders' meeting. You may have another meeting some time as the afternoon unfolds; I'm not sure. But we will deal with this point of order when and if that order is called, and we'll hear your arguments at that point and make a decision.

**Mr Duncan:** On a point of order, Mr Speaker: The time allocation rule says very clearly that we will have to deal with this. There is no deferral. Therefore, it must be dealt with today, this calendar day. If that's not the government's intention, then would the government amend the motion with consent to defer the vote until tomorrow, if in fact the government doesn't intend to call the vote this evening, subsequent to the debate this afternoon.

**The Acting Speaker:** I've ruled that we'll deal with this when and if this order is called.

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: When the rule changes were developed by the government, because that's who does it essentially, their original intention was to allow the same piece of legislation to proceed both in the afternoon and the evening. Only after relentless pressure by the opposition and the news media, who are very interested in these matters of democracy in this House, that the government relent and indicate they would not be bringing forward—in fact, the rules say it cannot bring forward the same bill in the afternoon and in the evening.



This time allocation motion is of course to do with the bill and deals with the bill. So we are simply alerting the chair and the Speaker's chair to the fact that the government may be pulling a fast one on this and that you should be cognizant of that. I think the House leader's interpretation is absolutely correct in this matter.

**The Acting Speaker:** I say to the member that I appreciate the heads up and whoever is in the chair at the time that order is called will probably hear the arguments and will rule at that time.

## ORDERS OF THE DAY

### TIME ALLOCATION

**Hon Frank Klees (Minister without Portfolio):** I move that, pursuant to standing order 46 and notwithstanding any other standing order or special order of the House relating to Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other acts in connection with municipal restructuring and with municipal electricity services, when Bill 25 is next called as a government order, the Speaker shall put every question necessary to dispose of the second reading stage of the bill without further—

*Interruption.*

**The Acting Speaker (Mr Tony Martin):** Order. Clear the gallery, please.

*Interjections.*

**The Acting Speaker:** Please clear the gallery for five minutes.

*The House recessed from 1521 to 1526.*

**Hon Mr Klees:** I'll continue where I left off:

That no deferral of the second reading vote pursuant to standing order 28(h) shall be permitted and, in the case of any division relating to the second reading stage of the bill, the division bell shall be limited to five minutes; and

That the order for third reading of the bill may then immediately be called; and

That, when the order for third reading is called, two hours and 30 minutes shall be allotted to the third reading stage of the bill after which the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

That no deferral of the third reading vote pursuant to standing order 28(h) shall be permitted; and

That, in the case of any division relating to the third reading stage of the bill, the division bell shall be limited to 10 minutes.

**The Acting Speaker:** Mr Klees has moved government notice of motion 26.

The member for Carleton-Gloucester.

**Mr Brian Coburn (Carleton-Gloucester):** Over the last few days there has been considerable discussion in this House with respect to the restructuring of four of the

major areas in Ontario. That discussion has been going on for 20, 25 and 30 years in these four regions. The debate, like any other debate when you talk about communities and you talk about change, certainly becomes emotional, it becomes one of personal preference, and it becomes very gut-wrenching when you look at change. However, one of the things we must do as a society and what this government is working towards is preparing Ontario and our communities and our municipalities to meet the challenges of a new millennium so that you're better equipped to meet those challenges, whether it be in health care, education or local governance.

The time has come. The time has come for the Legislature to make a decision on the Fewer Municipal Politicians Act. The people of Haldimand-Norfolk, Hamilton-Wentworth, Ottawa-Carleton and Sudbury have debated this long and tenaciously over the years, and in many cases have waited too long for better, more efficient local government. They do want fewer politicians, they do want lower taxes, they do want more efficient programs and delivery of services, and this legislation delivers exactly that.

The debate so far in this chamber has indeed been useful. We always welcome the opportunity to discuss the merits of the Fewer Municipal Politicians Act. But there comes a time in every discussion when further discussion serves not to enlighten but to merely delay. The residents, the businesses and the people of the four affected regions know that better than most. They have been discussing the merits of their regional systems and the need for change almost since the day the regions first came into existence.

In 1973, Haldimand-Norfolk was established. They've been looking for ways to make it better since the Gilbertson report in 1982. The debate has continued ever since. More debate is indeed not the answer.

In Hamilton-Wentworth, which was established in 1974, the first review was conducted only four years later, in 1978. The recommendation then was one-tier government. The debate has raged ever since. More debate is not the answer.

Ottawa-Carleton was established in 1969, some 30 years ago. Over the years since then, Henry Mayo, David Bartlett, Katherine Graham and Graham Kirby, to mention but a few, have each written extensive reports on how to make it better. Local reform has been the subject of heated ongoing public discussion for 30 years. There have been 27 studies or reports since 1976. More debate is not the answer.

In Sudbury, established in 1973, local governance had been an issue since at least 1980. Ongoing study and minor tinkering was done over the years, and it has done nothing to alleviate taxpayers' concerns about the efficiency and the cost of the regional system. More debate is not the answer.

The taxpayers and the local politicians in each of these four regions want closure. The years of study that I just mentioned have demonstrated just how difficult it is for local politicians to achieve closure in their own back-

yards. It is difficult decisions that require strong leadership, that require a vision for the future. So after years of studies and fruitless discussions, this government appointed special advisers for each of the four regions in September. We asked them to take the public pulse one more time. We asked them to sift through the results of the earlier reviews. We asked them to recommend changes that make sense and that have local support. They did that. They had extensive consultation, and there was ample opportunity for anyone to make their views known. We have read their reports, we have considered them, and then we introduced this legislation.

The Fewer Municipal Politicians Act, if passed, will mean 203 fewer politicians and more than \$120 million in annual savings for taxpayers. The number of municipalities and their councils and administrations would be reduced from 34 to five. This would represent a clear benefit for the taxpayers of these regions.

We've debated the proposed changes here in this Legislature for many hours. Surely there is no opinion that hasn't been heard, no idea that remains undiscovered, and no point of view that hasn't been expressed. More talking won't move these communities forward, and more talking won't necessarily save taxpayers money.

In each of these communities there are local politicians who want to make a positive contribution, who want to help lead the new municipalities that are being proposed. They do want to get on with the job of making these new municipalities successful and prosperous and streamlined and efficient. They are anxious to begin their fundraising and get on with their election campaigns. We had promised to have changes in place in time for the elections in November 2000, and that there would be enough time devoted to the transition to get it right.

According to the provincial law, the 2000 municipal election campaign begins in less than three weeks. These local leaders and those interested in running in the next municipal election need to know the rules. They need to know the local structure: how it will be structured, where their wards will be located. They need to be able to make plans and look to the future.

The same goes for local politicians in Toronto. They need to know about local wards as soon as possible so they can make plans and begin their campaigns. The process to let the people of Halton elect a chair of Halton region won't be able to start at all until this bill becomes law.

Local government reform isn't just an issue in Ontario's regional municipalities. It's important in counties, separated municipalities and northern municipalities as well. Part of this legislation applies to them. That's another reason it's important that this legislation be passed quickly.

There are a number of municipalities that have had ongoing discussions and are developing agreements on how they should restructure and reform so that they can better provide the services for their taxpayers. This legislation enables us to assist them to achieve their goals.

Across the province, counties, separated municipalities and northern municipalities have indeed been streamlining their operations and reducing the number of local politicians and keeping taxes down. Since 1996, the number of municipalities has been reduced from 815 to 586, and projected taxpayer savings are estimated at more than \$220 million.

But there are many municipalities who haven't yet taken that next step. Many of them are on the verge of moving forward. This legislation will continue and enhance the Bill 26 provisions which have already allowed many municipalities to restructure on their own. It will extend and improve the current provisions that allow local government to reform in counties, separated municipalities and in the northern municipalities.

We do want taxpayers in these municipalities to share in the benefits. We want them to have the benefit of fewer politicians, lower taxes, better services, and more efficient and accountable government.

There are a number of other measures in this bill that are also important to the people of Ontario. There are important measures to stop the potential unfairness of a municipality expropriating a gas company's infrastructure in order to turn it into a municipally owned gas distribution company. There are measures to make it easier for the regional municipality of Waterloo to improve its public transit system, a first step on the road to municipal reform.

This government is committed to very specific goals for local government in Ontario. Our aim is to lower the taxes, to have fewer politicians and to make government more efficient, effective and accountable. This bill is an important step in that direction. Any delay is not in the best interests of the majority of Ontario taxpayers who support these goals. The time has come to move ahead. The time has come for many of us to put our differences aside and to ensure that the model of governance that has been selected works and works efficiently to the benefit of the taxpayers, who expect nothing less than the best.

**The Acting Speaker:** Further debate?

**Mr George Smitherman (Toronto Centre-Rosedale):** I usually stand in this House and start by saying what a great pleasure it is to talk about a bill. I think that the proper name for the government bill that's before us and this time allocation motion ought to be "the bill to give politicians an even worse name," because all the talk from the member who just spoke and others in this House is to discredit the role of politicians.

The politicians in this chamber stand and talk about municipal politicians around this province as if they don't play a valuable role in helping people. Is that something that is akin to the work that you do on that side, that at the end of every single day you don't feel that you've accomplished something in helping the people who call and write and e-mail your offices asking for help, for you to play the role in assisting them to understand government, to make it work better for them, whether it's for a birth certificate or the family responsibility act or the ODSP or for help with housing?



Our municipal councillors play the same role. If you were back home in meetings tonight in your ridings, as I'll have the opportunity to do during the break, you would run into municipal politicians—

**Hon Margaret Marland (Minister without Portfolio [Children]):** We can hear you.

**Mr Smitherman:** Margaret, you may hear my voice but you don't get the point. I'll be as loud as I darn well feel like. That's one privilege, I believe, that you haven't had a chance through the standing orders, to trample upon quite yet.

Earlier, there was a louder voice up in the gallery. It's a voice I'm rather familiar with, because in the last election campaign I had the chance to run against John Sewell. Do you know what? Lots of times we disagreed. But I'll tell you something: The message that he sent to you, that fell upon your deaf ears like all others when it comes to democracy, is a very important one.

1540

Why do I speak with a loud voice, member from Mississauga South? It is because I'm trying to get energized in a place that too often leads one to be disillusioned because the government opposite practices the politics of entrapment. The member from Scarborough heckles back, and I'm delighted to hear from her. She played a role once in municipal government. In that level of government I think she knows that she worked hard on behalf of her constituents, and yet she stands strongly in support of this bill that says, "Local politicians are bad."

We have a bill before us and a tactic by a government that so closely mimics what happens in the United States Congress. You get a piece of legislation that some people like and you slap some elements to it to make it unpalatable, impractical for them to support it. But in that case, the rules are balanced. There are checks and balances where the President can say, "I'll veto that legislation," and negotiation begins. Over time, the standing orders here have been diminished to such a great extent that no such role exists. The relevancy of this place is put at risk by the government opposite.

Omnibus bills, which all governments have relied upon, become the norm. Time allocation has not been used by anyone like it has been used by you guys opposite. Over the Christmas break and over the period when this House is in recess, members opposite, and particularly those in the back rows, really ought to ask themselves, "What is my relevance?" What is the relevance of this place other than—this is not some great debating society obviously. It has become a television studio. Members opposite, particularly those in the back row, ought to go and take a look at that.

Who has the greatest disdain for this place? Who demonstrates on a daily basis that he's not in the game any more, that he's missing in action, that this place is irrelevant? It's your leader. It's the Premier of this province. He has taken lack of attendance to the highest level yet. I know that some members will be bothered that any discussion goes on around that, but we begin to wonder

whether he's getting an attendance fee from you guys that goes up if he comes here less often.

There is in the history of this place a role where the opposition and others, working through committee, were able to take legislation, go out and talk to people about it and come back and actually determine that the legislation they had been proposing was wrong and that governments don't necessarily know it all nor do they get it right all of the time. That's gone.

The bill that is before us lumps together all kinds of municipalities to the point where you're working on this made-in-Toronto solution. That Haldimand-Norfolk, at something fewer than 100,000 people, and the city of Toronto, at 2.3 million people, ought to be lumped together should send shock waves through municipalities included in this bill and the others that will follow. It ought to hold cold comfort for the residents of other places who are yet to come.

The member from Scarborough Southwest has done a particularly effective job at raising the level of rhetoric around how bad Toronto city council is. I speculate that he, along with a few others, probably the member from Etobicoke North, known for his commitment to serving all the people in his community, got together with the cigar boys from the Premier's office, did a poll and found that it would be popular to limit the number of councillors in the city of Toronto. But what's the net effect of that? What really matters to the citizens of Toronto? Surely to goodness, it's about the quality of service they receive.

I know that every single day I work with other city councillors who work hard to deliver important services to citizens, and yet you guys move in a punitive way to punish the city of Toronto because they stand up to you, because they dare to call a spade a spade, they dare to remind the taxpayers that you have downloaded a quarter of a billion dollars worth of costs on them. They dare to remind people that the increased debt of the city of Toronto is your responsibility, that services are diminished because you have backed away from participating in things like public transit and that the spate of new user fees is the responsibility of Mike Harris. What else do we know in the city of Toronto? We know that there is diminished community participation in councils, because that's democratic, and anything that's democratic is seen as being slow and biting into red tape.

What do we have going on this afternoon and tomorrow at the city of Toronto instead of discussion about the matters that are important to people, about integrating services as a result of the amalgamation? We have politicians instead focused on a debate about municipal boundaries. What we are left with in the city of Toronto is a municipality whose debt load is increasing to such a great extent that they are threatening to mimic this government in financial ineptitude in terms of selling off Toronto Hydro, selling an asset to pay off a credit card debt, a little bit like this government's approach on Highway 407.

The message ought to go forth from this place to those municipalities not yet affected and not contained within this legislation, because they're coming to get you next, because municipal governments will fail to continue to reflect the distinct nature of communities. What will be left three or four years from now? The new member for Carleton-Gloucester, if I got his riding name, talks about the municipalities that have been involved in the amalgamation in Ottawa. And what do we have to follow? In York region, as an example, will Aurora continue to exist?

I met earlier this week, on Monday, with the mayor of Halton Hills. She began to wonder what the future is of municipal amalgamation in Halton. Will Halton Hills, known by Georgetown and Acton, continue to reflect the nature of those communities or will they become part of some Halton supercity, lumped in with the much more established and urban municipalities of Burlington and Oakville? What will come of those? Will Stouffville be gobbled up by Markham with all of the prime farmland that is there turned into the kind of tract housing that the mayor of Markham so desires? Will Ajax become part of Oshawa?

Based on the record of this government, I think it's fair to say that those communities out there in the 905 region ought to be looking very closely at this, because this is a government that is intent to devalue the role of politicians, to diminish the distinct nature of communities and to roll over people without regard for their viewpoint.

We recognize that on June 3 a majority of Ontarians, by seats at least, elected that government, but the responsibility that is associated with making this place work does not mean you're granted a free pass. It means that you have a responsibility to lead a democratic government, one that believes in actual, real, meaningful consultation, that believes that the role of MPPs is to take a look at legislation and to offer suggestions, some of which may be acceptable and others which clearly would not be. Those are the modest tools that are at our disposal, and yet your government, more than any I think in the history of this province, refuses or chooses not to use them.

I say to you as a newly elected member, one who comes with a desire to do good on behalf of my communities, to work hard and to reflect the values of democracy, to make improvements and to participate in debate, to live and to learn and to give and to take, none of that is open to me as a member. This time allocation motion, like all of the others that came before and the many, it would seem, that will follow, ensures that my role as an MPP is greatly diminished. So who will stand and fight for these principles? Who will stand and begin to restore a sense of relevancy to this place—not just a machine to pass the legislation that the bright boys in the Premier's office write, but a place where MPPs representing 103 constituencies can come forward and debate and discuss and give and take and improve legislation to improve the lives of Ontarians?

I don't stand as someone who resists change. I live in the city of Toronto. I can tell you that some of the best prospects that come as a result of amalgamation are lost. They're lost because the focus of Toronto city council has been changed by your move on a punitive basis to reduce the number of councillors. Instead of having real debate about how we'll have a biotechnology strategy or a strategy to turn the brownfield sites that line the Queen-sway in Etobicoke and the former General Motors site in Scarborough and other brownfield sites like the port lands—instead of talking about strategies that will deal with those things and that will improve the lot of people, we have city councillors who are involved in the life-and-death struggle about where ward boundaries will be drawn.

Unfortunately, I say in closing, apparently democracy ends on election day with this government. I encourage all members, over the break, to take a long, hard look at your relevance in this place and to consider whether the move towards more time allocation motions, more omnibus bills, is in the best interests of this place and in the best interests of the province of Ontario.

1550

**Mr Garry J. Guzzo (Ottawa West-Nepean):** I too take some satisfaction in having an opportunity to address this issue. I take the comments of my friend the last speaker to heart about my relevancy in this operation, because I want to talk about the history of what we're dealing with as it applies to Ottawa-Carleton.

Twenty-six years ago, as a member of regional council in Ottawa-Carleton, I chaired a meeting, attended by the former mayor of Vanier, Bernard Grandmaitre, a former member in this House; the regional chairman of the day, Denis Cooligan. The former mayor of Nepean and then later regional chairman, Andy Haydon, was there. I think Eugène Bellemare, who represents the federal riding of my friend the first speaker, the member for Carleton-Gloucester, was at that meeting. We discussed at that time regional government as it had been in effect for about three years in Ottawa-Carleton, and the changes that were necessary.

And here we are, 26 years later. Twenty-six years to get something done. But that's not surprising. That same year we had a similar meeting with regard to a four-lane highway between Prescott and Ottawa. I went to a meeting of the bench and bar that year with regard to a Unified Family Court, and we have a Unified Family Court in 65% of the province today. But it took until last year to get it—25 years.

At that time we were well into a lengthy debate on labour mobility across the Quebec-Ontario border as it affected workers in Ottawa-Carleton. I haven't seen it yet but I'm told that we have entered into an agreement. I don't know that it has been signed by the Quebec government and I don't whether it will be lived up to by that government. It's a sad question that the last speaker raised about relevancy when it takes 25 to 28 years to get anything done.



Let me say that on a couple of those issues, the previous government between 1990 and 1995 at least moved the envelope forward a little. If you want to talk about some slow years, if you want to talk about some dead years, we'll look back at 1985 to 1990.

Back then, 26 years ago, we knew we had too much area and too much land, and we knew we had too many municipalities. Only now are we moving forward to get something done.

A previous speaker, the member for Carleton-Gloucester, referred to the different reports that have come forward prior to this report from Mr Shortliffe, a report that is not perfect. As a matter of fact, it looked better the day I first read it than it does today. It's a federal reflection on a municipal problem and that creates some difficulties. But Mr Mayo, Mr Bartlett, Ms Graham and Mr Kirby all did exhaustive work and should be commended.

In 1994, we had the direct election approved and the mayors came off our regional council. In 1997, we had a citizens' panel. In 1997 and 1998 we had two private members' bills on Ottawa-Carleton. Interestingly, they were supported by Mr McGuinty, Mr Chiarelli on the first one, Mr Cullen on the second one.

**Hon Chris Stockwell (Minister of Labour):** He was an NDPer?

**Mr Guzzo:** He was then. By the time the second bill came forward, he had become an NDPer. You're right.

**Mr James J. Bradley (St Catharines):** Where is he now?

**Mr Guzzo:** Doing a very big job in Ottawa and doing it well, I might tell you, in the social services field. He's much happier than when he was here, I might tell you as well, at least when he was a Liberal.

*Interjections.*

**Mr Guzzo:** I don't know about his time and I don't know what he is now.

It is interesting that we're here now, and yes, we're in a rush, and we're making some changes as we go to the report of Mr Shortliffe. But it wouldn't have been necessary if we had dealt with this matter in a timely fashion by having either of my private member's bills come forward.

I want to direct a couple of comments with regard to the issue of the reserves and the assets. It's true that some municipalities have been frugal, some have been prudent, and others have not; some have major reserves, some have major assets other than cash reserves, and some have debt.

I want to speak to the debt of the city of Ottawa. I sat as a regional councillor because I was a member of the board of control in the city at that time. I was part of a government in the city of Ottawa that ran up some debt. I admit that. On my first day on regional council, the first money I spent was 89-cent Ottawa dollars; 89% of the cost of regional government in the early 1970s was paid for by the city of Ottawa. When I left seven years later, it was still at 73 cents of every dollar.

What did we do with that money in those early years? Did we squander it? I don't know. We put water and sewer to south Nepean, we put water and sewer through the rock in the west to form the new city of Kanata, and we put water and sewer lines to Orleans in the east so that the former mayor of Cumberland could have growth and development. Maybe we should have taken that money and spent it on the infrastructure of the city of Ottawa. But the whole purpose of regional government was to use the taxing power and the resources of downtown Ottawa to finance the extension of services to these areas that could never hope to do it on their own. Now Ottawa has—surprise, surprise—a debt. It also has tremendous revenue sources, and these revenue sources, from government buildings and from the industrial and commercial development in downtown Ottawa, are to be pooled, but the debt of the city of Ottawa is not to be pooled. Somebody has to take a serious look at the issue, and I know the interim transition board will do exactly that.

I'd like to take a couple of the minutes remaining to deal with a very controversial matter in Ottawa-Carleton, and that is the issue of bilingualism at the municipal level, official bilingualism as opposed to bilingualism. There's been a heated debate going on and much of what has been said is most unfortunate. You know, 1973 was an active year on regional council because that was the year we formulated the bilingual policy that has served that municipality so well for the last 26 years.

I go back. The mayor of Ottawa who sat on that council was Pierre Benoit. The mayor of Vanier was Ben Grandmaître. Eugène Bellemare, the federal member for Carleton-Gloucester, was a member, as were Reeve MacQuarrie, Reeve Haydon and a number of individuals who have distinguished themselves in serving the people of Ottawa-Carleton.

That policy and program was not one of official bilingualism as outlined and described by the federal government. It had so much more to offer, because it was flexible. It allowed us to provide services in the east end of the region, to the city of Vanier and to the French-speaking population in Cumberland and south Gloucester, that we did not have to provide in the west to the people of Rideau and West Carleton where there was no demand per se, something that was impossible to do with a program of official bilingualism. I don't say the policy was perfect—it has been amended from time to time and improved as developed areas came along—but it has served the public of Ottawa-Carleton extremely well. When people now try to paint the picture that this government or indeed anyone in government in Ottawa-Carleton wants to make the new city unilingual English—I refer to page A23 of the Globe and Mail this morning, the former Solicitor General in the Trudeau government—I think they're doing a tremendous disservice. It's unfortunate that people attempt to fan the flames and create the havoc that has in some part been created in our area.

1600

Let me just go back a little on how our region changed in its development course. In 1969 Prime Minister Trudeau entered into a tripartite agreement with Premier Jean-Jacques Bertrand of Quebec and John Roberts of Ontario whereby it was agreed that the national capital area would become the focus of the government and the national capital region, and that would include certain parts of the province of Quebec. These three leaders entered into an agreement that that area which would serve as the national capital area would be bilingual—not officially bilingual, but would provide services in both the French and English languages.

That paved the way for some 30,000 federal civil servants to relocate from old buildings, older structures that were temporary in nature, actually, to have those torn down and move these departments to new buildings in Hull, Quebec. The basis of that agreement was that the area was going to be bilingual. Both sides of the river were going to be bilingual. That prompted the decision and the policy of our council of 1973.

We have lived up to the principle and the spirit of that agreement, and I am proud of that fact. But let's talk about the other side. Is the city of Hull bilingual? You can go to bars in Hull and you can't buy a beer in English, let alone go to city hall and attempt to do business. Do you think Hull was not part of the province of Quebec when Bill 101 was passed, when the language troopers a couple of months ago went into the village of Shawville a few miles up the river, and Campbell's Bay, and trampled on English minority rights?

You heard the outcry from the Prime Minister of Canada, from Minister Stéphane Dion, as they infiltrate their argument with regard to Ottawa-Carleton today. You heard what they had to say about Hull being unilingual French and about the language troopers going into Campbell's Bay and Shawville. The silence was deafening. It was the same response when the only English-language hospital in the townships, in Sherbrooke, was closed—not a whimper, not from Sheila Copps, not from Mr Dion, not from Mr Chrétien, not from Jean-Jacques Blais, the former Solicitor General in the Trudeau government who was so proud to have been there when the Constitution was brought home and misleads the public somewhat in his article on page A23 of the *Globe* today.

What are the people of my area to think? When are we going to see an extension of bilingualism into the province of Quebec? The Quebec Legislature last week passed a resolution arguing for the official bilingual status of the new city of Ottawa, the same Legislature that passed the French Language Services Act in Quebec, which makes it a crime for a business in Shawville that has been run by a family for over 100 years to have an English sign on the door, as they've had over that period of time. Nobody appreciates, nobody wants to believe, that this type of thing is happening in our country, and it goes on, item after item.

I spent a lot of my youth, unfortunately—I say "unfortunately" because I don't think it was all that good

for my health—in the province Quebec, playing baseball in Wrightville when it existed, and I played hockey in Hull. I'm proud to say that I'm very welcome in a couple of those clubs that still sponsor—something that might not be true in my own city for teams that I played for.

**Mr John Gerretsen (Kingston and the Islands):** The Chaudière Club? The Chez Henri is still there, though.

**Mr Guzzo:** No, it's not. The Chez Henri has gone. Mr Campeau built a nice, big government building there and filled it with Ottawa civil servants. The Ottawa House, the same thing. It's gone too. The Chaudière Club—yes, I was a member of the Chaudière Club for five years. Best golf I ever played, and some of the best times I ever had. We lived over there. People don't go back and forth socially the way they used to. This divisiveness is growing, and it is not a positive development in our community.

I could speak on this issue for hours. I am limited—

**Mr Gerretsen:** Take your time; you have time allocation. We want to listen to you.

**Mr Guzzo:** Good point.

I want to say that we are at a watershed in Ottawa-Carleton. I don't know of anyone who would argue that there should not be bilingual services at the new city. I don't know of any institution where we do not provide that service. It's true that at the Ottawa Civic campus of the new Ottawa Hospital, the level of bilingualism is not as high as it is at the General campus downtown, which was a very heavily populated French operation, and still will continue to be. But the Civic provides a multicultural level of service that the other campus of the General hospital does not match.

When you go out further in my riding in Nepean, to the Queensway-Carleton Hospital, the level of bilingual service is not as high as it is at the Civic. But it's there and it's adequate and it will be maintained, just as the level of service that the people of our area have enjoyed over the past number of years under the policy of 1973 and prior thereto has been. Prior thereto, people received that level of service that was required. There have been blips, no question about it, blips on the board that have been corrected, and most of the time without any rancour and any opposition once they've been identified.

I think it's extremely unfortunate, with all the important areas and concerns in this bill that this interim transition team will be faced with, that we in Ottawa-Carleton have allowed the issue to escalate to what it has escalated to today. But it's at the feet of a very few people. When I see federal people intruding in provincial domain when they have never spoken out against much more serious violations in the province of Quebec, I have to wonder what the issue is in terms of politics as opposed to delivering services.

I thank you for the opportunity of having been able to address this bill. As I say, while it's not perfect, I'm very pleased to see it and very appreciative of the fact that it has been brought forward. I would have liked to see it come forward as a result of my private member's bill; I would have liked to see more time in the community. But



we have had 30 years of debate, we have had over 26 years of discussion with regard to how it should be done, and the time to act is now.

**The Acting Speaker:** Further debate?

**Mr Bradley:** I want to first of all say to the member for Ottawa West-Nepean that I enjoyed his remarks and his opportunity to make the remarks. I only wish—and I don't say this to be mischievous, but there's a good example: Whether one agrees or disagrees with what the member had to say, here's a member who has had a lot of history with this particular issue, who I would have liked to hear speak for 30 or 35 minutes or longer about some of the history, because he does know about it and he can provide some insights. Some people may disagree with what he has to say, but it's nice to be able to have that in the House, and we don't have it any more, we're simply so restricted now in the ability to make our points.

1610

There's an interesting survey. We were asked to comment on what motto should be put in certain places in this building. There's a motto under the Speaker's gallery that reads "Audi alteram partem," which means "Hear the other side." Unfortunately, far too often now the other side is not heard to the extent it should be. The other side isn't necessarily the other side of the House; it may be the other side of an argument that's advanced by a particular member. In this case, the member has some quarrels with the bill but supports the general thrust of it.

I want to say that I am extremely perturbed by this bill, first of all by the fact that it's an omnibus bill. In other words, it deals with five distinct and different municipalities. Second, it has within its provisions items which would affect all of the province of Ontario. There are some very anti-democratic portions to the bill that I wish we could take some time, come back in January and have some hearings on in the areas affected, and some hearings in Toronto. The government could pass the bill, ultimately, of course. I wish they wouldn't, but they are going to do so.

There is what we call the sledgehammer provision. That's the clause taking away the right of the Legislature to amend statutes. One of the fundamental rights that we should have in this Legislature is to have the elected members of this Legislature pronounce, debate and decide upon changes to the laws of the province. What this bill does is allow the cabinet, behind closed doors, to change any law in the province of Ontario that it requires to accommodate and implement the restructuring in these municipalities and in other municipalities. That is a very dangerous provision, a very undemocratic provision. Whether you agree or not with what the government is doing, that is a dangerous provision. I hope that editorialists across this province, even those who are favourable to the policies of this government, will understand what that means.

Secondly, 75 petitioners: Under Bill 26, which I thought was far too authoritarian, at least one municipality had to request that a commission establish a process of restructuring before the minister could begin the pro-

cess. Bill 25 lowers this threshold to just 75 petitioners. Therefore, the legislation allows the minister to initiate a binding restructuring commission even if no municipalities request the process. I can tell you that you're going to find some municipality somewhere which will initiate such a process, but to allow 75 people with an axe to grind to initiate such a process to me is undemocratic. It's allowing 75 people accountable to no one, unelected people, the opportunity to initiate a process of this kind. I think that's extremely dangerous as a provision of this bill.

Restricting the municipal referenda, or, as most people would call them, referendums: Already the government put a provision in that local municipalities, when they sent out their tax bills, could not put on the tax bill itself any explanation as to why the bill was going up. They knew it was because of downloading of financial responsibility from the provincial government to local governments. They wanted to state that on the bill, that they didn't want to raise the taxes, but they were prohibited from doing so by this government.

Now this government, which is supposedly a great proponent of having a referendum on various issues—Mike Harris and his cabinet, particularly Mike Harris and his unelected advisers—will decide the wording of every referendum at the municipal level in Ontario. Once again, ultimate control of those who might have something to say that might be critical of this government, just as when you fired the Environmental Commissioner, Eva Ligeti, because she was critical of the government, and want to replace that person with somebody who's a two-time Tory candidate and president of the Nipissing federal Conservative association, certainly somebody who's not going to be objective when dealing with this government, somebody who has to have the confidence of the entire House.

You extend the county commission restructuring process under Bill 26, and that is one that includes the potential for a commission to unilaterally decide and implement local restructuring proposals. This of course we opposed when Bill 26 was before this Legislature.

We do not have any provision for transition funding. They talk about Chatham-Kent. Chatham-Kent is where most areas were 30 years ago. They try to compare that, for instance, with Niagara. They say, "Chatham-Kent, Niagara, it's the same thing." No, it isn't. Chatham-Kent is a situation Niagara faced 30 years ago and they got transition funding, but what you find out is that once the transition funding's gone, the local municipal property taxpayer has to pick up the tab or you have to have further cuts.

The vindictiveness of this government against local government in Toronto is something to behold. In effect, what they're saying in this bill is, "We're going to force you to have 44 members of council and, by the way, if you misbehave we'll lower it even more." How undemocratic that is, how vindictive that is, but it certainly is typical of this government.

You talk about the cost of restructuring and how they're going to save. The Provincial Auditor said that the cost of restructuring hospitals is now well over \$1 billion over the estimate this government made when it started demolishing the hospital system in this province, including in my area of Niagara. This government has refused to have local hearings on this issue. I ask, what is the hurry? The only hurry I can see is that you want to allow people to start raising money for the elections coming up.

The last time we had this situation you simply postponed that date till April. Surely they can raise funds from April till November. They don't have to start in January. If we could have hearings in Flamborough and Stoney Creek, and in Glanbrook, Gloucester, Nepean and places like that, and in Toronto, Sudbury, Walden and Haldimand-Norfolk, people would at least say they've had their day in court and perhaps the government might make some changes to that legislation.

What we're going to have now is the government simply rush the bill through the Legislature and allow for no provision for amendments. Oh, there'll be an offer out there: "We'll allow you this or that." But we know there's a condition to it: "You've got to rush the bill through before Christmas."

What on earth is the hurry? Why don't you do it right instead of doing it quickly? Do it right for a change.

I was disappointed to hear the member for Carleton-Gloucester give his speech. While I expect the members who have been here as part of the Harris government for the past five years to make speeches about, "We have to rush things through, we've had enough debate," I must say it's sad, and I'm not being personal because I like the member for Carleton-Gloucester and I think he's a fair-minded person and quite open-minded, but you don't know how much it sinks my heart to hear a person who's new to the Legislature say, "We've had enough time for debate, let's get on with it."

You're seeing more and more of that happening. The opportunity to debate, discuss, make changes and have public hearings is disappearing.

You can do it well if you listen a lot more and if you take into account what others say and make those changes. In the end the government wins, but more important, the people win when you allow that to happen. If you just allow it to be pushed through the way this bill is going to be pushed through, that won't happen.

I wish I had more time to discuss some of the aspects of restructuring. I must leave by saying that I am one who is not convinced that bigger is better. I'm not convinced that we should abandon small communities and I represent a large urban community.

1620

**Mr David Christopherson (Hamilton West):** I appreciate the opportunity to speak, given the limited amount of time that's now made available to us. I'll be sharing my time with my colleague from Trinity-Spadina, Rosario Marchese.

Obviously the essence of what we want to talk about is the fact that we're shutting down democracy yet again. Maybe it's the government's plan that if they've done this often enough and people are flipping around and catch the parliamentary channel for a few moments to see what's going—because we know the numbers are up. There are more people watching now than there ever has been in the history of the parliamentary channel. In large part that's because they want to try to get a handle on what Harris continues to do to them through this legislation and everything else that goes through here.

I'm sure that as people click on and hear those of us in the opposition standing up and complaining yet again about the fact that we've got another time allocation motion, that's there's closure coming, that democracy is being restricted, the hope on the government's side is "click," that people will just tune off. I suspect, to a large degree, that's probably true, but every now and then it's going to cause you a problem. Something is going to burst forth that rivets everybody: "Well, wait a minute, what's really going on? Why is this happening?"

An example of that is in the paper today. We have seen on the front page of the *Globe and Mail* today an article by columnist John Ibbitson, wherein Mr Ibbitson talks about the implications of a bill that was hustled through here: Bill 23, five pages. Of course the bill we're shutting down today is not just five pages, it's 167 pages. That's the bill on which we're shutting down debate, democracy, public input, opportunities for amendments. Bill 23 and Bill 25. This is the merger bill, the bill that democracy is being shut down on today. This is the bill that Mr Ibbitson makes reference to in his article.

I want to take just a moment to put this on the record, because at some point the only way the government is going to stop these incredibly anti-democratic, damaging procedures is if the public says enough is enough. We've said it. We say it almost daily because we're forever debating closure motions. But the only way the government is going to listen is if backbench MPPs in particular get enough complaints and hear enough from their constituents about how these bills are being rammed through this Legislature with no time for proper consideration.

With your permission, Mr Speaker, I would like to read a couple of excerpts from Mr Ibbitson's article on the front page of the *Globe and Mail* today.

"The unseemly haste with which the Mike Harris government pushes bills through the Ontario Legislature has generally caused only aficionados of Parliament to despair. But now it should alarm you.

"The Legislature passed a law earlier this week giving the Ontario health insurance plan the power to sue you if you fail to shovel your sidewalk and your spouse comes to harm. It might even be able to sue you if you harm yourself."

It goes on to say:

"Late yesterday, a senior bureaucrat in the health Ministry, speaking for purposes of background, confirmed that the new law contains those powers," and there are other powers mentioned in the article, "although



this was not the legislation's intent, and would never be used for that purpose. Not today, perhaps.

"The government might even be able to sue you if you injure yourself, if you break an arm in-line skating even though you knew the roads were slippery, if you dive into a shallow pool and end up paralyzed. If you smoke."

Mr Ibbitson goes on to say, in referring to Mr Potter, who is a lawyer out of Montreal, "Mr Potter doubts that the government intended any of this." You know what? For the record, that's entirely possible. It's entirely possible that, even from an opposition member's perspective, the government may not have intended that the law could be used in this way, the point being that without taking the time to look at these bills and study them in the way that Parliament has evolved to do that means you could end up in this situation.

There are a lot of lawyers who make a lot of money finding out new interpretations of laws that weren't necessarily intended by governments. Rushing them through the House, like this government does, only aids and abets those who make a really good living out of playing with the laws and trying to defend their clients using, shall we say, creative interpretations of laws. At the end of the day, that costs people money because we have to pay for that court system. Anyway, I digress.

"Mr Potter doubts that the government intended any of this. The bill, he suspects, is simply badly worded. Its flaws could have been easily remedied, had there been sufficient time for examination and debate.

"But we don't do that any more at Queen's Park.

"Like all other legislation they bring before the House, the Tories imposed time allocation...." That's exactly what we're debating right now, time allocation on Bill 25.

To pick up where I was, "... the Tories imposed time allocation—a form of closure—on Bill 23, permitting only seven hours and 37 minutes of debate, and prohibiting public hearings or amendments. Opposition MPPs had no time to figure out what they were looking at. On Monday, the bill passed third reading and awaits only the Lieutenant Governor's signature."

That column by Mr Ibbitson points out one or two different interpretations of this bill that could be problematic for the public. I mean, the Tories tend to forget this but we are here on the people's business. It's not your law. Once it's passed, it's the people's law.

This example is based on a bill that has five pages. That's the whole bill, but it's a feature story on the front page of *The Globe and Mail* about how there may be problems because this was rushed through. Here we are now debating the closure of a bill that's 167 pages long, for God's sake.

Look at this thing. It's mammoth. Does anybody really want to bet anything significant that it isn't possible that something in here inadvertently may be a problem? We'll, of course, argue that there are problems with this bill that are deliberate. Right up front, we have problems with some of the intent. We don't get an opportunity at those things, but further to that, it's the notion that you

could pass laws that are flawed. Why? You can't say that it's an honest error, not when you're the government, deliberately passing a motion, as we're in the midst of doing right now—and the government will use their majority to ram it through. You cannot argue that it's an inadvertent mistake when the government itself uses a process that shuts down the very mechanisms in our parliamentary process that provide for an opportunity to look at bills to prevent that sort of thing. How many times have we had to deal with bills in this place because they are corrections to earlier bills that the government has screwed up?

1630

There were six bills in the last Parliament that had to be introduced by the government to repair the first bill that was so badly flawed in the first place. They were told, "Slow down, take some time, look at this." They rammed it through and we had to deal with six more bills—this is a government that doesn't like waste?—wasting an awful lot of taxpayers' money to operate this place to repair things that likely wouldn't have needed repairing if the government had used the procedures that are built into our parliamentary tradition. For those of us who are living in the communities and represent the communities that are affected by Bill 25, it makes us even angrier that this government is refusing to listen to anyone.

That's not the only example. There are so many of them. That's why it's so frustrating. The government so far knows that they can do these things, and most people see it as inside baseball and it doesn't really matter. They've got a majority, they've got a mandate, they can do what they will. That's not the case, that's not what we're talking about. We're talking about a government that gets elected in a certain parliamentary tradition and then totally ignores and abuses that tradition and then passes laws that aren't in the best interests of the people. They did it to the volunteer firefighters when they rammed through Bill 99, the anti-worker piece of legislation, another one of them, that savaged the WCB, because they used time allocation on that and rammed it through. They found out afterwards: "Gee, we've hurt some volunteer firefighters. We didn't mean to do that."

**Mr Rosario Marchese (Trinity-Spadina):** It just happened.

**Mr Christopherson:** My colleague says, "It just happened." That's the way the government put it: "Gee, it was inadvertent." If they'd taken the time to let the volunteer firefighters have a look at it—most provincial organizations have parliamentary committees or political committees or legal committees, call them what you will, and the sole purpose of those committees under the auspices of umbrella organizations is to take a look at every piece of legislation that goes through here to see if it affects their members. But what's the point in doing that or believing that we truly have a pluralistic society when the opportunity to make that comment is denied?

It's really not that big a leap—some would argue the leap's already been made—in my opinion to go from

where we are in terms of this kind of democracy under the Mike Harris government to pure dictatorship.

**Hon Mr Stockwell:** Oh, come on.

**Mr Christopherson:** I expected there would be reactions and moans and groans on the other side. But I can say that if the Minister of Labour were sitting over here—and I was in this place when he did—you'd be peeling him off the ceiling. He'd be apoplectic about what's happening here, and now he sits back and says, "Oh, come on." It really does depend on whose ox is being gored here. I would have thought that as the Minister of Labour, who now has to be concerned about firefighters and other working people, when examples are shown to him where innocent working people have been hurt, he'd show a little more sympathy and a little more compassion, given the fact that's now his ministerial responsibility.

But that's not the only place where this government is showing its true colours. We saw in question period today the whole question about the judicial appointment. There's a backlog with judges being appointed and there are those in the know in legal circles who are saying it's because there's a certain friend of Mike Harris, a supporter of the Premier's, who was not on the preferred shortlist, which is the procedure that has been used for the last decade. Therefore, their way of retaliating is just to refuse to make any appointments and we've got a standoff. We're now hearing concerns that there are some cases that may be turfed out because there aren't judges there to hear them in an acceptable period of time.

I say to the Minister of Labour that this has to do with the attitude of you and your government towards democracy. That's what it has to do with, given the fact that we're in a debate about closure, about time allocation, about shutting down democracy. Is that the only example? No. There's another example that's right here in front of us today in terms of the Environmental Commissioner. We're at the point now where we have someone who, to the best of my knowledge, withheld from the committee initially the information—

#### *Interjection.*

**Mr Christopherson:** Well, that's what I have been told, and we'll wait and see what things show in the long run. I'm told that until questions were asked, this information didn't come out. Nonetheless, the fact of the matter is that for a position of this importance—and let me talk about how important it is. It's not like any other political appointment. It's not unusual for governments to appoint people they know or people they've worked with, people they trust or who they believe have the same philosophy as them. We always have this to and fro about it, but it's not unusual. I think every government to make it a little better.

But when we talk about the Environmental Commissioner, we're talking about a job that ought to be so far removed from patronage that it qualifies almost as Caesar's wife, because this is a position that is there to protect the interests of the citizens of Ontario and this individual, the Environmental Commissioner, reports not

to the Minister of Labour, not to the Premier, but to this House as a whole. Any notion that someone could be appointed to that position by virtue of a majority government using their power is very disconcerting and ought to scare an awful lot of people, and not just environmentalists but anyone who wants to make sure that the proper watchdog positions are being filled by people who will fulfill that mandate.

The Tory majority on the committee reviewing this and making the recommendation to the House have used their majority numbers to put forward the name of a candidate, or it's expected this is the candidate who's going to come forward, and now we've got somebody who just happens, purely coincidental, to have been a Tory candidate in Mike Harris's riding federally and provincially and—that's not enough—is currently the president of the federal Tory riding association.

The government know that if this person were being appointed to any position we'd raise these concerns, but the fact that it's the Environmental Commissioner makes it so much more serious. It takes it out of the realm of a political debate between the government and opposition benches and to a much higher level, as does the notion that there may be political interference, or at least a change through political interference, with the arm's-length process that's been used in the last decade to appoint our judges.

If we get to the point where nobody bats an eye when time allocation motions are passed at the drop of a hat, and that extends to the point where—well, guess what?—judicial appointments, people who are being appointed to be judges, are becoming more and more political, and that becomes OK, and the Environmental Commissioner who's there to protect the health of our communities and of our families becomes more and more politicized, and that becomes OK, where does it stop?

Where does the notion that parliamentary systems, as opposed to other systems, provide for the opportunity for the opposition to play a meaningful role, the public to play a meaningful role and for people to be appointed to positions of extremely important responsibilities in our province become mere political candies and goodies handed out after an election? Where does that end?

I don't think it's unreasonable to expect that at some point the person who oversees elections—it's now one person, a commissioner—would suddenly become a patronage appointment. Why not? This government unilaterally changed the rules of the last election both in terms of how the election is run and how it's financed. They did that unilaterally. I mean at some point there's got to be a recognition that this sort of thing is not just about opposition members having a chance to stand up and take shots at the government. But at some point, surely to God it will reach a level of severity where there will be enough people in the province who will say, "Enough is enough."

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You don't own the province of Ontario just because you win an election. You don't have the right to act as if



you're the rulers of this province. You don't have the right to act as if you never have to listen to anyone again until the next election. You do not have that right. You may have the power. I expect that this motion will pass, so you've proven that you have the power. That does not, by any stretch, give you the moral right to do it.

The House is meeting less and less. Committees are grinding to a halt. Anybody who lives outside Toronto sees parliamentary committees less frequently now than they ever did. I know that's not the be-all and end-all of democracy, but it's another part of it. People who live in different parts of this huge province have as much right to participate in the laws that govern them as do people who live here in Toronto or in my own community of Hamilton, just an hour down the road. Speaker, you know yourself, representing the riding of Sault Ste Marie, that we don't do that much any more.

The government will say it's to save money and all that, but the reality is, there is enough stink and complaint raised by the government backbenchers because when they went out into these communities they got beat up badly.

*Interjection.*

**Mr Christopherson:** It's absolutely true. Take a look at the record of what happened any time you took a significant piece of legislation out on the road, into communities and asked people what they thought. I was there. A number of us have been there when this has happened. There are too many people in the room—do you know, we couldn't stay at one particular facility in Hamilton in terms of where the committee would meet because at the time we didn't have available in Hamilton proper—even though that's where the meeting was or supposed to be—a meeting room that was contained in the same hotel the members would be staying in. They were worried about their security. They would only meet in a hotel where they were guaranteed to only have to worry about going from their hotel room to the elevator, to the meeting room, back in the elevator and back to their hotel room.

I have no doubt in my mind that what happened was that there were enough backbenchers who said, "I'm not going out there any more," and as a result of taking away the per diem that at least was some kind of an incentive to offer the backbenchers, it makes it very difficult for the government to find members who are willing to go out.

What's the answer? Is the answer to say to the backbench government members, "Sorry you don't like it; we'll do the best we can to provide you with support people and media people and other researchers to help you while you're there"? But at the end of the day, part of the job of being an MPP, particularly in government, is going out into communities and facing the people on whose behalf you are supposedly ramming legislation through.

Did they do that? No, that's not what they did. The government turned around and said: "Rather than go down that road of tell our backbenchers what they ought or ought not to do, we're just going to stop holding

committee meetings. We won't go out and travel and we won't let people meet any more."

What we're doing here is seeing democracy being denied. I've only been here since 1990, and there are members who have been here longer, but I know there was a time when any government of the day wouldn't dream of taking a bill this big, affecting the number of people that it does, in the most significant way that it does in terms of local governance, and ignore any kind of input.

Based on the motion we're dealing with here, there will be no amendments to this bill, absolutely none.

**Interjection:** We offered it.

**Mr Christopherson:** We're not even going to go there, it's such a joke. You offered it. You offered one hour, with two changes that ought to be made, but not nearly enough. If you think that somehow you're going to get any kind of even tacit support for this process, you're crazy. Because you're just so far off the beam in terms of where you ought to be in terms of giving people input. No one's going to be conned by it. It's almost insulting, I say to the government House leader through the Speaker, to suggest that people would believe that obvious spin.

The fact of the matter is that either the government House leader or the Minister of Municipal Affairs or probably the Premier himself has sent down the word that there are not going to be any public hearings, period, and then whatever they can do to mitigate that by finding different little moves and dances and sliding, that's what they'll do. But the reality is—

**Mr Marchese:** They can't dance.

**Mr Christopherson:** My colleague says they can't dance. Unfortunately, in this place they've gotten pretty good.

But the reality is that they don't want the public to be involved. They don't fundamentally believe that anybody has anything to say that's relevant after they've made up their minds. They are going to govern from Mount Olympus, and it's not laws and democracy that come down but edicts.

You can bet there are going to be problems with this bill. Again, there are obvious political problems. We've addressed some of those in what now constitutes second reading, a couple of days, and we'll get a couple of hours—what a joke—on third reading. So we've dealt with what we think will be problematic in those areas, like telling Flamborough, although there's no reference in the bill, they can vote as to whether or not they want to be in the new city of Hamilton. But no reference is made to what happens to the other municipalities that might feel they would like that same opportunity. Those kinds of things have been pointed out. They are going to be a problem.

All the power you've given to the transition board, the fact that each of our communities has to eat all that cost, that these people are not elected but appointed—they've been given incredible powers, and the regulations under Bill 25 allow the transition board to be given whatever

more powers the government, through cabinet decisions, wants to give them. All of those things are legitimate, but my point to you right this moment, Speaker, is that I assure you there are going to be other problems with this bill.

You cannot expect from any kind of rational, reasonable point of view that a bill like this, Bill 23, with five pages, could cause the major questions and concerns that it now is. By the way, there are other concerns now coming out about this bill because there are some organizations, health professionals, that are just finding out about what's going on. It does take time with all the information that we're being bombarded with these days for messages to penetrate through, and not all these organizations have paid lobbyists who are here every day to watch the proceedings. It takes a while for them to be informed of it. They are just now finding out what's going on and the implications for all of us in terms of Bill 23 and how it affects health care in Ontario, and it's already law. Done. That's five pages.

I don't think any reasonable person could suggest that if you follow the same procedure for this bill with five pages that you're about to follow for this bill with 167 pages, we aren't going to run into some serious problems that are going to cost the people of Ontario money. If nothing else, it's going to cost them the time and effort, if not of the cabinet, perhaps this whole place. But there could be challenges in courts, and we've got to pay for that. And since these are governance issues, it could affect the ability of local governments—on and on and on.

How could all that be avoided? I would like to think that most people casually reviewing these arguments would say: "All right, it sounds to me like you may have a point. How would we go about doing something about that?" You don't have to do anything extraordinary. There's nothing creative, new, to be done: no rabbit to pull out of the hat, no law to pass. What do you have to do to prevent that kind of nightmare scenario, that likely nightmare scenario? Follow the rules that are already here. Give committees an opportunity and give the public an opportunity to be heard. Allow the process, as was meant to be done, to be followed.

Here we are at their favourite time of the year, and not because it's the season to be jolly but because it's the season they hope the least amount of people are watching. You will recall that it was in 1995, right about the same time, when you pulled the same stunt with Bill 26. Remember that? Remember how many amendments had to be made, when we finally pushed you into public hearings, because you were forced to deal with what was in Bill 26? Here we are again with Bill 25—almost the same number—and we're going to have the same problems.

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I say in closing that unless a lot more people than so far have shown an interest in this stand up and say, "You're not going to continue to do this to me, to democracy, to Ontario"—if that doesn't happen, we're going to

continue to see more and more of this, and we're going to continue to see this place become less and less relevant and people across the province feeling further and further removed from their government. That cannot be good.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I want to say at the outset that we have debated regional-city municipal restructuring in the Ottawa-Carleton area for a long period of time, and I know my colleagues Mr Guzzo and Mr Coburn have talked about some of the past history. You know, I've been elected to represent part of the Ottawa-Carleton area for some 22 years, and I think I've got to know some of the areas pretty well.

This whole motion towards going away from a two-tier system to a one-tier system started in 1994, when the then NDP government forced upon the region the withdrawal of the local mayors from regional council. That was really the beginning of the end of the two-tier system of government at the regional level in Ottawa-Carleton, because essentially what happened was that a lack of trust built up between the 11 lower-tier mayors and the upper-tier council. As a result of that, along with the direct election of the regional chair, giving him much more power in a political sense in terms of who was behind him, we really saw at that point in time the death of the lower-tier governments in Ottawa-Carleton.

At that point in time, the lower-tier municipal politicians, and actually the upper tier, recognized the conundrum they were put in by the former government and started a very long and involved process of consultations with their constituents, with the people of Ottawa-Carleton. So really, over the last five years we have had a continual discussion, public hearings—I don't know how many sets of public hearings there have been with regard to municipal restructuring in Ottawa-Carleton, but a great number of them. This of course culminated after the last election in June, when we were re-elected to Queen's Park as government, when the Premier said he wanted to put this issue to bed, deal with this issue before we got into the next year and into the coming elections, which are in the year 2000.

The Premier was careful. He basically took the timing that was suggested by the Leader of the Opposition, Mr McGuinty, as to how the process would be lined out, because we were seeking the support of the party opposite. Mr McGuinty had suggested that we have a very short consultation period and then we go ahead with some legislation, and he said it should be done before January 1, 2000. That's what he said in August of this year. Of course, he has flip-flopped and changed his position at this time. He is now wanting to vote against this bill. He's voting no against a single city, the city of Ottawa, Ottawa-Carleton, at this time. I think he should justify that to his residents, to his voters, because that's certainly not what he said in the last election.

We've heard arguments here that we should have this bill separated out. I want you to know, Mr Speaker, that I attempted to separate out this bill, to negotiate with the other parties that it be separated out. I will give this: I did



require that we deal with this matter in all of the various different regions and cities before we rose at Christmas. That was the condition I put on it, but the opposition refused that offer.

This morning I offered to the opposition that we could go into committee of the whole for a short period of time. As you know, one of the time allocation motions filed yesterday allowed a very short period of time in committee of the whole in order to put forward motions so that we could change some of the sections the opposition was objecting to, some of the sections where they've talked about large regulatory power for the government, the 75 electors. We were willing to stand back on those two particular issues.

I said to the opposition as well: "You may put forward a few amendments yourselves. Pick out some of the key amendments so that we can have you on the record and us on the record on a number of various issues." I also offered to go beyond the one hour if we could negotiate some kind of deal, that we could extend that for maybe two hours, perhaps even a little bit longer. I realize that's a very short period of time to deal with the number of issues we are dealing with, but it would have given some opportunity to make some corrections to this bill, to improve this bill, to allow the opposition to put some issues on the table, and have the members of the Legislature express their opinion on those sections of the bill. No, the opposition refused to do that.

I have come to the conclusion that the opposition made up its mind a long time ago that this was a political issue and a political issue only, and that their desire to improve this legislation, their desire to in any way be constructive in this debate, was long ago forgotten. They have come and shown, at least to me in terms of this bill, that they want to vote no. They want to vote no so that they can say to everybody who complains about this restructuring, "We voted against restructuring in your area."

When you do these kinds of things, you have to take some leaps of faith, you have to do some things which some of the constituents, some of the people in the various municipalities that are affected, won't like. That's what happens in municipal restructuring, no matter what you do in terms of moving boundaries, changing the structure or whatever. I guess it's much easier to say no than to show the leadership to come forward and say, "Yes, in general we support this bill."

That's what second reading debate is all about, that you believe in the general principles of the bill on an overall basis, that you believe in one city in Hamilton-Wentworth, that you believe in the restructuring in Haldimand-Norfolk, that you believe in the restructuring in Sudbury and that you believe in the restructuring in Ottawa-Carleton, and the changes in Toronto.

You may disagree with one of those things, but that happens in every piece of legislation we have in front of us in this Legislature. I don't agree with all the provisions of every piece of legislation, nor would I expect any member of this Legislature to do so, but if you believe in

general with the thrust of this restructuring, you should vote for it. If you don't, then I believe you can be blamed for voting against it, that you were against the general principles. I believe that is the case with Mr McGuinty.

When this matter was brought to the cabinet table I made a pitch that part of West Carleton township have the option to have a referendum on whether they would join the new city or join an adjacent county. The Ottawa Citizen today in its editorial criticized me for meddling in this matter, because they believe Mr Shortliffe, the appointed commissioner, has more right to be involved in this issue than I, the elected representative.

I make no apology at all for putting this proposal forward and I'm very proud that our government has accepted my suggestion that we give this rural area, small in population but very large in geography—West Carleton makes up 47% in geography of the total area of Ottawa-Carleton—the opportunity to opt out. Interestingly enough, this was the only township council whose representative came to ask for this particular option. I met with that township council on Sunday after the report came out and that was their request and therefore we carried it out.

1700

I believe that what we have done is try to take the best from Mr Shortliffe's report in Ottawa. We have changed a few things with regard to his report, but that's what politicians are about. I think they understand municipal government better than Mr Shortliffe, I believe I understand municipal government a little bit better than Mr Shortliffe and I believe the people and the representatives of West Carleton—incidentally, none of the people who went to Mr Shortliffe's hearing in West Carleton supported one city. That was not true in the other rural areas where he had hearings. There was significant support for one city in the other rural areas. This one area was perhaps more strident in that view than others.

I support this particular bill and the intentions of the government. I believe it's a long time due. It's progress that's been looked for for a long a period of time and this is the only government that has had the intestinal fortitude to move ahead with it.

*Applause.*

**Mr Steve Peters (Elgin-Middlesex-London):** Thanks for the ovation. I appreciate that very much.

It's almost like déjà vu standing here again this evening because less than 24 hours ago we were debating a time allocation motion for Bill 27, to ram that piece of legislation through, and we are standing here again this evening dealing with Bill 25, dealing with time allocation and ramming through another piece of legislation.

In my opinion, one of the things that the government really loses sight of is the ability for the democratically elected politicians in a local area to make decisions. This government is very bent and determined that they're not going to let local politicians make decisions, that they're going to decide the fate of local government for this province of Ontario.

I think it's very scary, the direction of what we're seeing happening. We saw it first with Chatham-Kent. We saw that happen. We saw it happen in Toronto. Now we're dealing with four more in front of us tonight. What scares me, and I think what every citizen in this province needs to be concerned about, is that this isn't the end of it, it's going to continue. The government is going to continue to ram restructuring proposals down the throats of citizens of this province without allowing those citizens to have input into that decision.

I would just like to use an example of how things can be done the right way. For seven and a half years I was the mayor of the city of St Thomas. We developed a very good working relationship with the county of Elgin. One of the things we recognized was that we had to change the way we do business. I think every politician realizes that. But we were very determined to make sure it was a decision that was made at a local level and it wasn't going to be a decision that was rammed down our throats by the provincial government. We were able to achieve a decision that was in the best interests of the 75,000 citizens of Elgin county and St Thomas, a decision that allowed St Thomas to maintain its separate status and allowed the county of Elgin to maintain its status. I want to talk a bit about that and how things can be done at a local level without having a gun put to your head by the provincial government.

The plan in Elgin county and St Thomas resulted in a 53% reduction in the number of municipalities, from 15 to seven; a 45% reduction in number of locally elected representatives, from 79 to 43; and a 64% reduction in the size of county council, from 24 to nine members. Over the next two years, the city and the county have jointly worked together implementing a proposal, finding economies of scale, reducing staff complements and investing in infrastructure to meet the needs of the restructured organization. They've worked hard in planning and investing heavily in the assumption that the restructuring initiatives in Elgin and St Thomas were going to be accepted by the province.

I heard the government House leader speak tonight and I recognize that politics is a bit of give and take, but we're not about to give up everything just to get a couple of things out of it. I'll come back to that point in a bit.

I'm quoting right now from a letter that was written to the Premier by the warden of Elgin county, Rien Van-Brenk. I'll also be quoting from a letter written by the mayor of St Thomas, Joanne Brooks.

#### *Interjection.*

**Mr Peters:** That wasn't my letter, by the way. That's fine. You have your opinion and I have mine.

I just want to point out that the county of Elgin states in its letter:

"We have met your government's test of efficiencies ... we now have fewer politicians, lower taxes, better and more efficient service delivery, less bureaucracy and clear lines of responsibility and better accountability at the local level."

But more important, that was developed at the local level. As evidence of the restructured services, again developed at the local level, the city and the county have decided who will deliver Ontario Works, who will look after social housing, who will look after child care, land ambulance and the health unit. Again, this was all done by locally elected officials who are accountable to the citizens.

"Accountable municipal politicians representing the majority of electors should be permitted to recommend local solutions to meet your government's broader policy mandate."

I like this line from the warden of Elgin county: "We doubt that your government would allow 75 non-elected and unaccountable electors to request a review of the Ontario Legislature. We ask you to give municipal government the same consideration."

The city of St Thomas has also written to the Premier expressing concern over this legislation, because what can happen is all that good work and effort that was made locally can be turned around and dismantled by 75 electors, and that's a real shame. It's incumbent on all of us to recognize the abilities that local politicians have and that these decisions are important to be left in the hands of local politicians.

In conclusion, I think it's a real shame that the public has not had the opportunity to have public hearings on this. The Premier talked about giving the public an opportunity to have public hearings. Then we hear the flip-flop from the government that public hearings aren't going to be allowed. That's a real shame, because these decisions being made are affecting millions of citizens of this province, and they have not had the opportunity to have any input into those changes.

**Mr Marchese:** Speaker, I've got to tell you, I was waiting for the next round because I really wanted to hear the Minister of Labour speak on this issue. But I guess he's waiting for me because he wants to hear what I have to say on this issue, and that's OK.

I want to tell you, Speaker, that yesterday I spoke on Bill 27. You may have been here—I don't know—for that particular debate. I don't remember. But they put the noose to that bill yesterday and they're putting the noose to this bill today.

Can you picture that? That's exactly it, Joe. This is what happens to these bills. They put the rope around and say, "You're gone," essentially. But it's not a matter of putting somebody to sleep forever. What they're doing is putting an end to debate on bills. That's the order of the day with this government, day in and day out. They're getting away with it because they can. Essentially, they're doing this because they can, because they have the power to do so. Isn't that a frightening thing? "We can do this because we can." It's a frightful power.

**Hon Mrs Marland:** Isn't that what you did with 61 members?

**Mr Marchese:** If we can be accused of anything, speaking to the minister of children's affairs, the New Democrats consulted the public to death. What these



people are doing is ending debate and putting the noose on any debate; what we did was the opposite and we got beaten up over that.

We were tripping all over each other saying: "Two weeks, three weeks? Do you think we should do it? If we don't do this they're going to get angry on the other side. Maybe we should give the four weeks." Do you remember those debates? We were debating as to whether it should be two weeks, three weeks or four weeks.

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These boys, and women—I apologize if I don't include you in the same breath; I did include you, but I think it's largely the boys in the Premier's office determining these things—they're deciding that consultation is not good. Where do they learn that from? The previous experience of New Democrats. Because if you give people an opportunity to speak, they beat you up. We, being so democratic, Speaker—as you know, because you were here at that time—we thought people need to have a say.

**Hon Mr Stockwell:** That's the way it is.

**Mr Marchese:** Because it is that way and ought to be that way. People need to have a say, whether in agreement or disagreement. It is a right of citizens to participate.

What are these people, these men and women doing? They're saying: "We don't need citizens. We just need consumers. We don't need a citizenry, because we are the principal citizens who determine for them what is good and what is bad. We'll market it in whatever way is deemed appropriate to sell it to the public." In effect, what these people are saying is, "There are no citizens in Ontario, because we are the ones who are omnipotent and we'll decide because we are all-knowing."

Those of you who are watching who see yourselves as citizens ought to be offended by the *modus operandi* of this government, because what they are doing is excluding you, not just the New Democrats as we lose our opportunities to be able to say what we want to say, but they are giving you less opportunity to understand what is contained within those bills and giving you less of an opportunity to have a say than they normally would have, as you normally would have had under previous New Democrat ways of doing things.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** They don't want to go back.

**Mr Marchese:** Now focus in on this member on the other side. We're talking about how we allowed debate and consultation. What you're saying is they don't want to go back to debate and consultation.

**Hon Mr Stockwell:** On what?

**Mr Marchese:** On what, Minister Stockwell? On everything. Minister Stockwell will say now—

**Hon Mr Stockwell:** The social contract.

**Mr Marchese:** He'll find an example, sure enough. Fair enough. He'll find an example where we may not have consulted perhaps on some issue because we had their support possibly? I don't know, but all in all, by and large, 99% of the time we consulted bills to death.

**Hon Mr Stockwell:** Social contract.

**Mr Marchese:** And Minister Stockwell, blah, blah, blah, with the social contract example. OK, you'll have your opportunity. Mercifully, the deputy leader has left you seven minutes so you're going to get your break. That's good.

The member from Hamilton Mountain made some good comments earlier on, you will recall.

*Interjection.*

**Mr Marchese:** Hamilton West. Hamilton nonetheless, within that region.

He showed the bill to the public and said, "Look how thick it is." I believe you said it was 167 pages, wasn't it?

It's a thick bill but not for this government. The thickness of bills does not deter this group of people, because again, you are all omniscient and omnipotent so that everything you want is contained therein.

**Hon Mr Stockwell:** You told me size doesn't matter.

**Mr Marchese:** Minister Stockwell, you will recall all those bills, the municipal tax bills. In the last session, seven bills were presented in the Legislature, each to fix the problems you caused before. You remember that, member from Etobicoke-Humber? Seven bills. You couldn't get it right the first time, couldn't get it right the second, couldn't get it right the third. It goes on. Do you get the picture?

Members of the public that are watching these debates because we're on live, do you get the picture? These people screwed up seven times. You know what? To prevent those potential screw ups, they've given themselves a special power that permits cabinet to determine whatever it is that may or may not have been in this bill, to correct or to add or to introduce something that normally would be presented in this Legislature. It's a legal opinion that I think it useful to have.

**Hon Mr Stockwell:** A legal opinion in the paper?

**Mr Marchese:** A legal opinion by this person. This is the National Post, buddies of yours. According to Ed Morgan of the University of Toronto law faculty, an expert in constitutional law, there's a fundamental reversal of the way things are supposed to work in our system of government and would be open to constitutional challenge, he argues. He continues that if the bill passes, the Legislature may itself be acting illegally by unconstitutionally delegating to the cabinet its authority to make laws.

It's just an opinion. Please disregard it, because you guys know everything. I just offer it for the benefit of those who are watching, but not for you folks because you guys know everything. He's definitely wrong. Disregard this constitutional lawyer because, good God, you guys have been through this before.

**Mr Frank Mazzilli (London-Fanshawe):** He said "may."

**Mr Marchese:** You're right. Don't be deterred by these words—"may." What do they mean? Unless they are somehow infallible, and no one is infallible except the pope, "may" should not deter you from anything. It's just an opinion. You're quite right, it's just an opinion. Please disregard it. It means nothing.

They're putting the noose on all debate everywhere. That's my fear. This bill makes profound changes to our society. I've got to tell you, I'm not a fan of reducing cities into one. I argued from the very beginning, big is not better. In fact, a number of studies that we quoted in the past say that when you make it bigger, it becomes more expensive, contrary to the opinion of Tories, who say we're going to save money. Bigger is not better. Bigger in fact is more expensive.

But you guys are right. You could almost be declaring yourselves infallible. You literally are declaring yourselves infallible. It's a big word, Minister Stockwell, I know. I know that in the Premier's office they know what that means, and I know that trickle-down theory, and I know you boys pick it up too.

**Hon Mrs Marland:** "You boys"?

**Mr Marchese:** And women. I just think there are a lot of boys in the Premier's office who run the show. I could be wrong.

I've got to tell you that in Toronto here, when we had mon ami M. Gilchrist speaking about its reduction—because that's what this bill does, right? It reduces them from 57 to, what, 43? My friend Minister Gilchrist, when he was minister, had this to say: "We gave the city the power to make those changes in Bill 103 so it's quite appropriate for the councillors themselves to be using that power if they see fit."

Poor Steve, eh? He must have gotten a whacking by the Premier or the office or other ministers, I don't know, but he was certainly put into place. You remember, this is the guy who was there to crunch a few bones, but may have relented and got soft, possibly. He may have gotten soft when he said: "This is the power they got. They should determine it. They should use it if they want. We're not about to get in there and mess things up."

**Hon Mr Stockwell:** You're paraphrasing.

**Mr Marchese:** No, no. I quoted it. I'm paraphrasing from the quote. I quoted it for you.

So then comes mon ami M. Clement, the Minister of Municipal Affairs and Housing, who says: "That is not the case. He was wrong. We're going to change the way we are about to proceed with the other minister because we know what's better for Toronto, because we need to protect the interests of Ontarians."

I remember at the press conference Minister Clement said, "We want a partnership." That was, I think, Thursday morning. He said, "We want a partnership with the city to work things out." Asked by reporters how this would unfold and how long the city had to be able to respond or work in partnership to give effect to these changes, he said, "Saturday, around 5 o'clock, that should do it."

Does that give you a clear sense of what partnership means to those men and women on the other side? It means: "Partnership is whatever we decide. We can change things, because we can." It's a powerful thing to have such power. I'll tell you, it can corrupt. It can put a few hairs on your chest if you don't have them. It can corrupt. It's a scary thing. But I hope it doesn't grow too

many hairs on a number of individuals on the other side because it could be a frightful sight. I wouldn't wish it on anybody.

The point I make here about Toronto is, why are they downsizing these people? Because if municipal politicians are worried about scrambling for survival, they're going to leave Minister Stockwell and other ministers from the Toronto area and generally this government alone. They won't have the energy to fight against anything this government has done with respect to the issues of homelessness, child care, transportation and poverty.

1720

All these people have done is to download responsibilities and costs, while they say: "We fixed things there. We're protecting the taxpayer. We're cutting back because the taxpayer is tired of paying the bills."

You remember, member from Hamilton West, we talked about that millennium book? Minister Clement said the other day: "We don't sleep. We spend night and day, seven days a week, 24 hours a day, finding ways to cut waste." He fell asleep for a little bit. He took a little nap. This is a \$3-million dollar nap. The Minister of Culture said, "The money doesn't come from the Minister of Education," but I say, "There is only one taxpayer." Do you remember that line? Mike Harris uses that line frequently. There's only one taxpayer. Which taxpayer paid for this? Does that individual have a name? Or are there different kinds of pockets I cannot identify?

Help me out, Minister Stockwell. You're about to speak, and I want you with lucidity to give some thought to this bill, to which I say: "You are not giving people an opportunity to debate and to give clarity to issues that are otherwise confusing."

We were discussing the pension bill and seniors would like to debate that bill, and you refused to give them that opportunity. Each and every time, you're excluding the public from the debate, not just excluding the opposition. And I will be voting—sit down, there's only a second left. I guessed it.

**Hon Mr Stockwell:** It is always entertaining to hear from my friend Mr Marchese.

When you get into these time allocation debates there is a certain degree of synthetic indignation offered up from all sides. I've got to say that when we first talked about rule changes, my friends the Liberals were in power. They changed the rules and they began the process of increasing time allocation motions.

When the NDP came to power they jumped in and changed the rules, and we supported it. Check the record. We supported the rule changes you put forward. They included a lot of time allocation motions. In fact I remember sitting in this House and in one week they had three time allocation motions come through the House on three separate pieces of legislation. To be fair, the most co-operation that could be offered by any opposition party was by the Conservative caucus when they voted in favour of the NDP rule changes.

Where the synthetic indignation does come in is that every government comes into power and offers some rule



changes. Wherever you happen to sit is where the synthetic indignation kicks in. I understand the politics of it. But with great respect to my friends in the NDP talking about committee time, talking about going out and talking to the people, probably the largest act they brought in to these good and hallowed halls here was the social contract. The social contract was an omnibus bill in the highest order. It overrode every collective agreement that the government had entered into right across the broader public sectors.

After hearing from my two learned colleagues, Omnipotent One and Omnipotent Two, you might ask yourself, "How many days did we go out on public hearings for the social contract?" which overrode every collective agreement in the history of the province of Ontario and which probably resulted in one of the major faux pas that accounted for their downfall. Well, we didn't. We went to committee of the whole twice. Committee of the whole is this place here. We didn't go to any cities, didn't go out to committee. We went to the committee of the whole and passed it in this House.

I've got to tell you, as a caucus we said, "You want to introduce the social contract," and we voted in favour on the first reading to get it on the record and get it going. But nobody was standing in their place screaming blue murder because you didn't go to committee. That's the way the place works sometimes, and I appreciate it. But it is synthetic indignation now for you to stand there, my friend Rosario, in this place and suggest for a moment that the omnipotent Conservatives are the ones who began this horrendous downfall away from democracy. You, my friend, a good NDP card-carrying socialist, brought the social contract in and really stuck it to your brothers and sisters.

**Interjection:** He whacked them.

**Hon Mr Stockwell:** He didn't just whack them. I can't say what he did to them; this is a public place. It was shameful. I feel contempt some days when I hear from him, or over here, of the total lack of democratic principles when you yourself, you, my friend Rosario, mon ami M. Marchese, when you yourself began the process with the social contract.

So listen. I understand that where we sit tends to make up a large portion of the debate and how we view things. I appreciate that and I understand the politics. But it is tough some days. It is tough some days when watching the sky fall, democracy slip into Lake Ontario, because we moved a time allocation motion. That's been done by every government in the past four terms and on numerous occasions and the sky did not fall. We didn't slip into Lake Ontario. We had a general election. The people spoke. God forbid, my friend Rosario, mon ami, there are but nine left. My heart bleeds.

Now we must talk about the council itself. In my few moments left I want to talk about that. I did that job. So did my friend Ms Marilyn Mushinski in Scarborough. I appreciate the fact there may be opposition. And Mr Hastings was on local council. Ms Mushinski sat with me on Metro council. There is some reason to this: 44 ridings

built into the federal-provincial boundaries, common voters' lists, common returning officers, common polling stations—savings, savings, savings. Fewer politicians: Agreed.

Who here thinks that 44 people can't make up a legitimate council representing all streams and views in a city the size of the city of Toronto? I say they can, my friend M. Marchese, mon ami. I think the people agree. I talked to lots of them. They weren't saying 44; they were saying 22. I said: "Twenty-two? Let's be reasonable. Let's take the middle ground." We are a government. If I chose 22, they'd say, "Too hard." My friend Rosario would just pillory us in this place. Forty-four isn't bad; 44 is good.

Thanks for listening. If you could tell the other eight in your caucus, I'd appreciate it.

1730

**Mr Gerretsen:** That sure is a tough act to follow. And I'll say something else. In this House, we hear so much justification as to why one party that happens to be in government is doing it because somebody else did something else so many years ago. Then we go back 15 years; we go back a whole generation. The bottom line is, we're dealing with the here and now.

We heard, for example, from the member from Gloucester today and from the government House leader that there have been 15 years of study into all of these amalgamations and annexations. Yes, there may have been 15 years of study, but there was a very short period of time in which these commissioners had to do their work. Then when they came in with their report, the government didn't even accept what they had to say and make some changes in all of these various acts.

The bottom line is that this act was introduced on December 6, 11 days ago. That's what we're dealing with: 175 pages. We've had three days of debate here, period, and debate is being shut off without any kind of public consultation on this document. That's what it's all about. That is undemocratic, and that you can't justify.

Then the House leader in this House says today, "Well, you guys can vote for it because it's only second reading." I noted down very carefully what he said. He said, "It's only second reading and then we get to the real work." Well, your own time allocation motion says that when it's called for third reading, it will be debated for two and a half hours and then the final vote will be taken. How much work is going to be done in two and a half hours? Certainly not public consultation. This is totally undemocratic in every way, shape or form.

There are large regulatory powers in the act that will give the Minister of Municipal Affairs and Housing the unfettered discretion to basically change any act at all as it affects this particular piece of legislation. It is kind of like a face-safe mechanism. You may recall all of the different property tax bills we had here. I'm sure Mr Eves, by this point in time, is probably saying to himself: "By golly, why didn't I think of that two years ago when I brought in the first act? If I'd had that kind of power, I could have just changed whatever needed to be changed

without ever going back to the House.” Instead, he had to come back here six time because he kept making mistakes in the process. This time it won’t be necessary. The Minister of Municipal Affairs and Housing will simply have those powers, period.

All that basically talks to process, and the process in this particular situation hasn’t worked at all.

But there is a much larger issue as well, and that deals with the reality of the situation and with the content of the bill. The thing that I’ve talked about, not only in the last two or three weeks but for the last five years, is that municipalities are formed as a result of common interests that people have, common concerns that they have in a particular area. To lump large rural areas in with urban centres, rural areas which in some cases are 20 or 25 miles away from the urban centre, is just totally and absolutely wrong. The voice of those rural people, who may in some cases take up 10% to 20% at most of the total population, is going to be forgotten. If they have one or two councillors on those particular councils, no matter how good those councillors are, their voice is going to be forgotten, because the main emphasis of all of those councils is going to be centred around urban issues, and the suburban issues, the rural issues, will be totally forgotten.

That’s the problem the member from Stoney Creek has, that’s the problem the member from Wentworth-Burlington has, and that’s the problem that probably some of the other members have here as well, that there is no community of interests.

If these commissioners had looked at it in such a way whereby they did away completely with all the artificial boundaries that are out there and said, “Let’s take a look at these communities and see how they really fit together,” I am positive in my own mind they would have come up with a better system, a better community of interests and a better realignment of the municipal services that were going to be delivered in these different municipalities. That’s what this is all about.

The process that has been followed in this case absolutely stinks; there’s no question about it. But the even larger issue is that the voices of these rural areas of our province that are involved in these large amalgamations—and there will be others to follow—by and large, in the future, as a result of this government’s action and future government actions in the same way, are going to be totally lost. That’s why I recommend on both scores that we defeat this bill and start again. There’s no need that it has to be rushed through before Christmas. When we dealt with the Toronto megacity bill, and we were involved in exactly the same election cycle—I know there are municipal elections next November—we didn’t finish that process until April of the year when the elections were held. There’s absolutely no reason why we can’t follow that same approach now and have some public hearings on this process in January and February and come up with the best solutions for the people of Ontario and the people who are affected in these areas.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** Mr Speaker, I will conclude the remarks for our party. I want to pick up where my colleague from Kingston, the former mayor of Kingston, finished off. I want to say at the outset that this is always a difficult challenge for any government and any Legislature. I want to say up front that there is no doubt in my mind that most of the communities being spoken of in this particular round of municipal restructuring do attract an argument for change. I know and would like to speak to Ottawa-Carleton, and to some degree to Haldimand-Norfolk, in my remarks. I don’t know Haldimand-Norfolk as well as I know Ottawa-Carleton, and I certainly don’t know the national capital region as well as my friend from Carleton-Gloucester, or my leader, or others who represent the constituencies in the national capital area.

It is really important that we recognize that we are going to have change, we are going to have reform. The question is, is it going to be an evolutionary change or is it going to be a more radical and revolutionary change? I certainly understand the pressure for the latter brand. If you are in the Ottawa-Carleton area, you will know that there has been a debate for, lo, these many years; there have been several commissioners who have looked at this. Members in this House, present and past, will understand the pressure that’s there.

I like to make the point, for example, as a rural person, that within the bosom of the national capital area there is a village that has had its own local government, as my friend from Carleton-Gloucester will know better than I. It is the village of Rockcliffe Park. I’d get a call from the press in Ottawa a few years ago to say: “Conway, you’ve got a lot of small municipalities up there in Ottawa Valley, up in Renfrew. We don’t understand why there can’t be a restructuring.” I used to be a bit mischievous and say, “I understand the question. Can I answer the question with a question? I have the map of Ottawa in front of me and I see two separate and distinct municipalities: the city of Vanier and the village of Rockcliffe Park, cheek to jowl, in an eastern part of what we call Ottawa. How is it possible you could have a city of”—what, 40,000 in Vanier, Brian? Eighteen thousand. And what’s in the village? Twenty-four hundred.

I think it’s a wise person who asks that question and thinks about the answer. Rockcliffe Park is a very interesting, very special place. I’m not going to use my relatively few minutes tonight to explain the history of Rockcliffe Park, but I just want to say to people, there is a village in the bosom of old Bytown, and you would do well to understand what that village is, where it came from and what some of the rhythms of local community instinct might be. Far be it from me to say to those people what they ought to do. I simply make the point that as we go forward we have to ask ourselves as legislators, accepting change and accepting the need for change, what are the problems we want to fix?



1740

I'm interested in Haldimand-Norfolk and Ottawa-Carleton. Let's take Haldimand-Norfolk for the moment. Do you know what we're trying to fix? We're trying to fix what thoughtful people on the ground in that part of southwestern Ontario said, 25 or 30 years ago, was a non-starter. Thoughtful people said, "The Queen's Park design for the new regional municipality of Haldimand-Norfolk never made any sense." And guess what? Some 25 or 30 years later we are here to say, "You were right; it didn't make any sense," and now we are trying, probably wisely, a different approach.

But we were wrong. The all-knowing intelligence of the provincial government, circa 1969, 1970, 1972, whenever that was, about Haldimand-Norfolk was basically wrong. So now we are coming along and saying, "Well, they got it wrong, but we at Queen's Park 1999, we've got it right." I hope we're more right in 1999 than we were 30 years ago, but I think a thoughtful and prudent person, with our batting record on some of this stuff, would be very careful about a rigorous top-down solution when we are just admitting that the last effort to do that produced not nearly what we were advertising.

Ottawa-Carleton? My concern with Ottawa-Carleton quite frankly has to do with those rural communities. There are other issues, and my colleagues Mr McGuinty, Mr Patten, M<sup>me</sup> Boyer and others have spoken to those far more intelligently than I could. I'm one of the few rural members left in this assembly, and I look at the Ottawa-Carleton part of this bill and I'm reminded of what Mr Shortliffe, the Ottawa commissioner, a very distinguished commissioner, told us when he released his report some weeks ago: "I must state that no issue gave me greater difficulty than the sensitive one of rurals in/rurals out." I simply want to say that today I presented a petition signed by hundreds of people in the rural part of Ottawa-Carleton praying that the government keep its solemn promise made by the now minister, the acting Minister of Municipal Affairs, that there will be an opt-out provision for rural people, at least in west Carleton.

I don't know where you draw the line, but I do know this, that if I lived in Galetta or Fitzroy, I don't think I would see my destiny with an urban municipality of 725,000 people anchored someplace around Parliament Hill. I might look to Arnprior or Almonte and see a more natural community of interests. Someone said it earlier, my friend Gerretsen, that one of the absolutely core issues here is, what is a reasonable community of interests?

I accept change. I accept change, and there's going to have to be some change in my county of Renfrew. I'm not standing here saying that we can live with a municipal architecture of 1960 or 1930 or 1910. But just because there is an impulse for change is no argument to impose, in some high-handed way, some kind of grand scheme concocted by bright theoretical people hundreds of kilometres away from the communities to be affected.

One of the values that I think is central to good municipal reform is a good community of interests. Another value that I think is very important is the role of the local politician. I personally reject and resent the high-octane rhetoric of the current Conservative Party of Ontario that has as one of its core values a relentless attack on politicians, whether they be local, provincial or national. I understand the fleeting appeal of that, but I have to tell you that my experience over the years is that the men and women who offer themselves for local government do so with the best of intentions. Yes, we may have too many, and I'm quite prepared to look at that, but I resent the argument that this is all about reducing politicians as a primary objective. I resent it, particularly when I know—and all I have to do is read John Barber's article in the *Globe and Mail* of November 1, 1999, "The Handyman Can," the story about consulting and lobbying.

Let me say this: We may have too many local politicians, and I'm quite prepared to argue that in Ottawa-Carleton we do. I don't know what the number is, but I tell you there are too many there now. But I am not going to be drawn into what John Ralston Saul calls "the hypnotic clarity of false choices," because the real choice is for every publicly elected politician you will retire, you are going to have a very well-paid lobbyist working for special interests behind closed doors. That is a real danger. That represents a serious contamination of politics.

The *New York Times*, a few months ago, wrote a splendid series of articles called, "What's really going on on K Street?" Let me tell you, we've got our own K Street at work here in Toronto, in Ottawa, in London and in a lot of other places, Hamilton, and we're going to be encouraging more of that. Make no mistake about it. You may not like that local ward politician, but you you're going to be able to get at that person, both in terms of an election or a retirement from politics. You will not know, you will not see and you will not always understand the very careful working of the high-paid lobbyist who'll be out there working for the special interest.

And there's more. Let there be no confusion about the nature of the change that we are making in places like the larger cities. What are we doing in the big cities? We are turning local politics over to big-moneyed interests. You're not going to be able to run now. You can't run now. If you want to challenge Mel Lastman, you better be able to come up with a million bucks. If you're going to run for the new top job in Ottawa, you're probably going to need for 400,000 or 500,000 bucks. Where are you going to get that? You're not going to get that at the Salvation Army. You're not going to get that at the local candy store. You are going to get that from the special interests, and you're going to be getting it from special interests that you probably regulate or deal with on a very regular basis. That's the story that's been made plain by analysis in this country and elsewhere.

I simply make the point, if you think the commonweal is going to be advanced by trading publicly elected politicians for private, big-moneyed special-interest lobbies,

you are living in a dream world and a dream world that is very dangerous. People are going to get hurt. People are going to get badly hurt in this exercise. I suspect it's going to be politicians, the ones who are left who are going to be hurt.

A final point I want to make is, we have had over a long period in our Ontario, I think, relatively good local government. I can think of stories in places like North Bay, Kingston and Windsor where we have had some very colourful, not always appropriate, local government, but in the main our local government has been very—

*Interjection.*

**Mr Conway:** Kingston township, I should add, where we've had a good local government because people have felt connected to it. There was, generally speaking, a good bond between the governed and the governing. It was good; it was relatively clean. I wonder what we're trading now. The heritage of the Baldwin Act has been a good and positive heritage, and I'm deeply concerned that we're turning a sharp and negative corner and heading in a different and not very inviting direction with some of the underlying policies that are contained in this government's agenda with respect to municipal restructuring.

**The Speaker (Hon Gary Carr):** Mr Klees has moved government notice of motion 26. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1750 to 1800.*

**The Speaker:** Order. All those in favour of the motion by Mr Klees will rise one at a time and be recognized by the Clerk.

**Ayes**

Arnott, Ted	Harris, Michael D.	O'Toole, John
Baird, John R.	Hastings, John	Palladini, Al
Barrett, Toby	Hodgson, Chris	Runciman, Robert W.
Chudleigh, Ted	Hudak, Tim	Sampson, Rob
Clement, Tony	Jackson, Cameron	Snobelen, John
Coburn, Brian	Johns, Helen	Spina, Joseph
Cunningham, Dianne	Johnson, Bert	Sterling, Norman W.
DeFaria, Carl	Kells, Morley	Stewart, R. Gary
Dunlop, Garfield	Klees, Frank	Stockwell, Chris
Ecker, Janet	Marland, Margaret	Tascona, Joseph N.
Elliott, Brenda	Martiniuk, Gerry	Tilson, David
Eves, Ernie L.	Maves, Bart	Tsubouchi, David H.
Flaherty, Jim	Mazzilli, Frank	Turnbull, David
Galt, Doug	Molinari, Tina R.	Wettlaufer, Wayne
Gilchrist, Steve	Munro, Julia	Wilson, Jim
Gill, Raminder	Murdoch, Bill	Witmer, Elizabeth
Guzzo, Garry J.	Mushinski, Marilyn	Wood, Bob
Hardeman, Ernie	Newman, Dan	Young, David

**The Speaker:** All those opposed to the motion will rise one at a time and be recognized by the Clerk.

**Nays**

Boyer, Claudette	Curling, Alvin	McGuinty, Dalton
Bradley, James J.	Di Cocco, Caroline	Patten, Richard
Bryant, Michael	Duncan, Dwight	Peters, Steve
Caplan, David	Gerretsen, John	Phillips, Gerry
Christopherson, David	Kennedy, Gerard	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ruprecht, Tony
Clark, Brad	Levac, David	Skarica, Toni
Colle, Mike	Marchese, Rosario	Smitherman, George
Conway, Sean G.	Martel, Shelley	
Cordiano, Joseph	Martin, Tony	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 54; the nays are 28.

**The Speaker:** I declare the motion carried.

It now being 6 of the clock, this House will stand adjourned until 6:45.

*The House adjourned at 1803.*

*Evening meeting reported in volume B.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton East / -Est	Agostino, Dominic (L)
Beaches-East York	Lankin, Frances (ND)	Hamilton Mountain	Bountrogianni, Marie (L)
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Brampton Centre / -Centre	Spina, Joseph (PC)	Hastings-Frontenac-Lennox and Addington	Dombrowsky, Leona (L)
Brampton West-Mississauga / Brampton-Ouest Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of the Environment, Minister of Municipal Affairs and Housing / ministre de l'Environnement, ministre des Affaires municipales et du Logement	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
Brant	Levac, Dave (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Broadview-Greenwood	Churley, Marilyn (ND)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism / ministre du Tourisme	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Carleton-Gloucester	Coburn, Brian (PC)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Chatham-Kent Essex	Hoy, Pat (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Davenport	Ruprecht, Tony (L)	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Don Valley East / -Est	Caplan, David (L)	London West / -Ouest	Wood, Bob (PC)
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Minister of Transportation / ministre des Transports	London-Fanshawe	Mazzilli, Frank (PC)
Dufferin-Peel-Wellington-Grey	Tilson, David (PC)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Solicitor General / solliciteur général
Durham	O'Toole, John R. (PC)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Eglinton-Lawrence	Colle, Mike (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga South / -Sud	<b>Marland, Hon / L'hon Margaret</b> (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Eric-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines		
Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Scarborough Centre / -Centre	Mushinski, Marilyn (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Dan (PC)
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Sudbury	Bartolucci, Rick (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thornhill	Molinari, Tina R. (PC)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oxford	<b>Hardeman, Hon / L'hon Ernie</b> (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Parry Sound-Muskoka	<b>Eves, Hon / L'hon Ernie L.</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Perth-Middlesex	Johnson, Bert (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	<b>Palladini, Hon / L'hon Al</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Wentworth-Burlington	Skarica, Toni (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sault Ste Marie	Martin, Tony (ND)	Willowdale	Young, David (PC)
		Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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of Ontario**

First Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 37<sup>e</sup> législature

**Official Report  
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(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 16 December 1999**

**Jeudi 16 décembre 1999**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 16 December 1999

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 16 décembre 1999

*The House met at 1845.*

## ORDERS OF THE DAY

### PENSION BENEFITS STATUTE LAW AMENDMENT ACT, 1999

### LOI DE 1999 MODIFIANT DES LOIS CONCERNANT LES RÉGIMES DE RETRAITE

Resuming the debate adjourned on December 14, 1999, on the motion for second reading of Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996 / Projet de loi 27, Loi modifiant la Loi sur les régimes de retraite et la Loi de 1996 sur le régime de retraite des députés.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House on December 15, I am now required to put the question. On December 9, Mr Skarica moved second reading of Bill 27. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1847 to 1853.*

**The Speaker:** Mr Skarica has moved second reading of Bill 27.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted  
Baird, John R.  
Barrett, Toby  
Chudleigh, Ted  
Clark, Brad  
Clement, Tony  
Coburn, Brian  
Cunningham, Dianne  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Eves, Emie L.  
Flaherty, Jim  
Galt, Doug  
Gilchrist, Steve  
Gill, Raminder  
Guzzo, Garry J.

Hardeman, Emie  
Hastings, John  
Hodgson, Chris  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Kells, Morley  
Klees, Frank  
Marland, Margaret  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Molinari, Tina R.  
Munro, Julia  
Murdoch, Bill  
Mushinski, Marilyn  
O'Toole, John

Palladini, Al  
Runciman, Robert W.  
Sampson, Rob  
Skarica, Toni  
Snobelen, John  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Witmer, Elizabeth  
Wood, Bob  
Young, David

#### Nays

Agostino, Dominic  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Caplan, David  
Christopherson, David  
Churley, Marilyn  
Colle, Mike  
Conway, Sean G.

Cordiano, Joseph  
Curling, Alvin  
Di Cocco, Caroline  
Duncan, Dwight  
Gerretsen, John  
Hampton, Howard  
Laionde, Jean-Marc  
Levac, David  
Marchese, Rosario

Martel, Shelley  
Martin, Tony  
McGuinty, Dalton  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Ruprecht, Tony  
Smitherman, George

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 54; the nays are 26.

**The Speaker:** I declare motion carried.

Pursuant to the order of the House of December 15, this bill is ordered for third reading.

## TIME ALLOCATION

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** G25.

**Clerk at the Table (Mr Todd Decker):** Resuming the debate adjourned on December 15, 1999, on the motion for second reading of Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I rise pursuant to standing order 46(a) through (e). Earlier today, we debated government resolution 26 in the afternoon session, which dealt substantively with the bill that the government has just called. Standing order 46(e): "A time allocation motion may not be moved on the same calendar day that any of the bills that are the subject of the motion have been called as government orders."

In effect, what we're arguing is that we've already in this calendar day debated substantively the bill that the government has now called. We are now, in the view of the official opposition, arguing that it's inappropriate to call this for a vote at this time. The very earliest this could be voted on would be tomorrow.

**Mr David Christopherson (Hamilton West):** On the same point of order, Mr Speaker: I would underscore my colleague's points with regard to why we urge you to rule this out of order. I would want to emphasize the fact, as

I'm sure you've been briefed by the table, that there are no precedents here; there is no jurisprudence. You will be deciding and breaking fresh ground with this. So it means a great deal to us in the opposition to ensure that the rights that we have under the standing orders are indeed upheld.

I would point out to you that, in my opinion, if this were being done the other way around, had we already debated Bill 25 earlier today and the government House leader was attempting to place a time allocation motion, I think it's fairly straightforward to assume that you would rule that out of order, because it would be consistent with exactly what's here. The only thing that's different this time is that we did the time allocation motion first when under the orders it was in order, because we had done nothing else with Bill 25 and the Acting Speaker in your stead—as much as he ruled against my argument, I understand the ruling—needed it to be on the floor before we could deal with it.

**1900**

Now here we are, and the only difference in terms of our rights being upheld or being lost is the order of the business within the time frame referenced in the standing orders, that time frame being one calendar day. For the sake of the chronological order in which we did business today, we could lose one of the few rights we still have.

I understand that the government House leader will in all likelihood point to the fact that his time allocation motion says “notwithstanding the standing orders,” assuming that transcends all of our rights. But again, Speaker, that argument would not last 30 seconds in front of you, in our opinion, were he trying to introduce a time allocation motion today, or a vote on it if we'd already dealt with Bill 25 earlier this afternoon.

One of the very few significant rights that we have is at stake here simply because of the order in which they've called them. On many occasions, sir, we have pleaded with you to ask you to find a way to assist us in maintaining the few democratic rights we have as opposition parties and as opposition members. This is one of those crossroads, Speaker, where if you rule in favour of the government, we've lost another right in terms of how quickly bills can move through this place.

This standing order was put in place to ensure that at the very least the government wasn't attempting in one day to ram through all of the legislation and all of the time allocation and all of the closure matters in one move, but to provide a pause to allow us to reflect, research, consider and then comment, hopefully from an informed position, the next time a bill that is proceeding through this place is called as government business.

The last thing I would point out to you, Speaker, is that I think there is a legitimate argument that the items 46(a), (b), (c), (d) and (e), with special emphasis on (e), need to be given some heightened importance because they are the rules that govern when and how time allocation motions are placed before this House. If they have but the same status as every other standing order, then in a case like this they might as well not be there, because

the simple wording of “notwithstanding the standing orders” eliminates the protections that are in here.

Our position from the NDP boils down to three things: defending what few democratic rights we have; recognizing that if this simply was being done in a different order during the same calendar day—I'm surmising now—I believe you already would have said, “It's out of order; call your next government business”; and lastly, the importance and ultimately the precedence that must be given to the rules around how a very heavy-handed rule like time allocation can be used and, most importantly in this case, when it can't be used.

Speaker, given the fact that you will decide precedents that will be quoted, not just in our place here but in all the parliaments across Canada for perhaps decades to come, I urge you to please give as much serious consideration as you possibly can to maintaining some of the very few rights that we as opposition members and opposition parties have in this place. Thank you for hearing me, sir.

**The Speaker (Hon Gary Carr):** The government House leader.

**Hon Mr Sterling:** I think standing order 46(e) is quite clear. It says: “A time allocation motion may not be moved on the same calendar day that any of the bills that are the subject of the motion have been called as government orders.” What I would like to talk about is, when you're moving from a government order, presumably a second reading day of debate, a sessional day of debate, to the time allocation motion, it's clear from 46(e) that you cannot move from a sessional day of second reading debate to the time allocation motion. I accept that.

There is a very different situation when you're moving from a time allocation motion to whatever is ordered in the time allocation motion, because essentially after the time allocation motion has been made, the House has decided the path or the route which this bill is going to take in the future. Mr Speaker, this rule contemplates the time between the second reading sessional day and the time allocation motion. I would suggest that perhaps the intent of the rule was to allow the government House leaders, as you are going from the third day of second reading of the bill, to negotiate some kind of deal which would not necessitate the move to a closure motion, or there would be a negotiating time after you had dealt with three days of second reading debate that would encourage the House leaders to come together to try to strike a deal which would be more reasonable. We tried that this morning, Mr Speaker, but the negotiations failed.

The words are quite clear. They refer to the time between the second reading debate and the time allocation motion—no argument that that cannot be done on a calendar day. But the standing order does not restrict the government as to when they would call the order again in order to carry out the will of the House which was decided earlier this day.

I guess that's the essence of my submission, in that the House has now decided which way it goes. The standing



orders do not restrict the government House leader when he calls that, whether it be in the same calendar day or the next calendar day.

**The Speaker:** The member for St Catharines on the same point of order.

**Mr James J. Bradley (St Catharines):** I have a point of order in support of my House leader in this matter. I well recall when the discussions were taking place—"discussions" is perhaps too strong a word, when the government was dictating the rule changes to the opposition—one area where they did relent, because it was so obscene, was the possibility of the government dealing with a piece of legislation both in the afternoon session and in the evening session. The government has somehow declared that the evening session is a separate day, which is a lost battle, unfortunately—that should never happen, but it has—but clearly we dealt this afternoon with a time allocation motion which is dealing with Bill 25. This evening the government wants to deal again with Bill 25. What they're trying to do is get around the one rule they agreed they would not proceed with because it was so obscene: allowing the government to deal with a piece of legislation in the afternoon and the evening and whipping it through in an even shorter time than they can now.

Once again, we've had 351 rulings that seem to go in favour of the government every time a ruling comes up. The opposition powers, the powers of all members, are eroded every time we get one of these bloody rulings that allows the government to push something through the way they're trying to now. What I am suggesting to you is that what the government is doing is dealing with a piece of legislation this afternoon, Bill 25, through a time allocation motion, and trying to deal with it again this evening, and that is contrary to the rules of this House. It's certainly contrary to the intent of the discussions that took place over these rule changes.

**Mr Christopherson:** Just very briefly, in light of the government House leader's submission, two points. One is that what is dealt with here within the time frame of a calendar day really is, how fast can legislation move through here? We would disagree with the government House leader as to the fact that it matters, if you watch carefully, how the motions are placed versus when the bills are called. We see the spirit of this very much as being, within one calendar day just how heavy a hammer can a majority government use in ramming legislation through? In reality, we see what they're trying to do as getting through the back door what they couldn't get through the front door.

**The Speaker:** I thank all members for their submissions. I will have a 10-minute recess and I will be back with a ruling.

*The House recessed from 1910 to 1921.*

**The Speaker:** I would like to thank the members for their submissions.

In reviewing the point of order, I have looked beyond the simple and plain meaning of standing order 46 which, ironically, when read in reverse order, appears not to

prohibit the calling of second reading of Bill 25 tonight, despite the fact that Bill 25 was time-allocated. Doing these things in the other order clearly could not happen. The House leader for the third party is completely correct then and the government House leader acknowledged that.

Standing order 46 to the standing orders was amended in August 1997. I have reviewed the debates that took place at that time and have found discussions in a number of places on this very issue, that is, the opposition's view that the 1997 changes which added evening sittings as distinct sessional days could lead to an acceleration of a bill's legislative life, creating procedural conditions for it that it legitimately could pass more quickly than was the case before the standing order changes had been proposed.

Responding to the concern, an amendment to both the then existing time allocation provision and to the motion then being debated to amend the standing orders was made by Mr Sampson. Upon being passed, it became known as standing order 46(e).

During the debate on that aspect, the minister without portfolio responsible for privatization, Mr Sampson, representing the government, on June 23, 1997, on page 10943 of Hansard said, "this particular amendment I have put forward today will ensure that bills will not be passed any sooner than is the case today under the current rules that are governing the operation of this House. I believe that responds to the concerns that have been raised by members opposite in regard to the timely enactment of government bills."

Soon after, the member for Nepean, Mr Baird, said on page 10962 of Hansard:

"On this amendment it was so important to be clear and up front that not only was a commitment made that no, there would be no intention that any government would want to consider a piece of legislation in two or three days, but on this issue it was so important we'll wear a belt and suspenders; we'll write it right in the rules that no, you can't do that. In my judgement, that deals with one of the biggest objections that has been made by members opposite to that change to the standing orders, to say that no, under no shape or form would you be able to go any faster on a particular piece of legislation under these standing order changes than you could before...."

Standing order 46(e) must be read in the historical context—in the context of what gave rise to it being put in the standing orders in the first place. In view of the comments made during the 1997 debate that I cited above, I believe that the literal meaning of standing 46(e), as it is being advanced tonight by the government, lies in stark contrast to the spirit that motivated putting it in our rules.

It was, in my view, clearly designed to be a check against precisely what the government wishes to accomplish today. By proposing these changes in 1997, the government made it clear that it accepted this check and acknowledged that this is precisely what was meant in

the amendment. If the order for second reading of Bill 25 can be called tonight, then contrary to the intentions of 1997, the bill would go through the legislative process faster than it could have before the evening sittings and standing order 46(e) were added.

In effect, this House did me the service in 1997 of providing me an advance interpretation of this standing order. In acknowledgement of that, I therefore will not permit the calling of the order for second reading of Bill 25 during this calendar day, since the bill has already been time-allocated.

Orders of the day.

**Hon Mr Sterling:** On behalf of the two former cabinet ministers you mentioned in your ruling, I want to call G27.

PENSION BENEFITS STATUTE LAW  
AMENDMENT ACT, 1999

LOI DE 1999 MODIFIANT DES LOIS  
CONCERNANT LES RÉGIMES  
DE RETRAITE

Mr Skarica moved third reading of the following bill:

Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996 / Projet de loi 27, Loi modifiant la Loi sur les régimes de retraite et la Loi de 1996 sur le régime de retraite des députés.

**Mr Toni Skarica (Wentworth-Burlington):** Ironically, I'm speaking on this matter after your ruling on the other matter, Mr Speaker.

*Interjections.*

**The Speaker (Hon Gary Carr):** Wait until they quiet down.

I think it's quiet enough for the member for Wentworth-Burlington to continue. Thank you for your indulgence.

**Mr Skarica:** It's my privilege to speak to third reading of Bill 27, the Pension Benefits Statute Law Amendment Act, 1999. This bill and the accompanying regulations, when enacted, would provide individuals faced with serious financial hardship or shortened life expectancy with more flexible access to their locked-in retirement accounts. The money in these accounts is theirs. They should have the right to access it when they are in dire straits.

A lot of people have told us during consultations to eliminate the paternalistic rules governing these locked-in accounts. As I've indicated on previous occasions, these consultations were conducted by my predecessor, the parliamentary assistant to finance, Terence Young, and Bill Grimmett.

Before I go any further, I'm going to be splitting my time with my colleagues Joe Tascona and Wayne Wettlaufer.

**Hon Chris Stockwell (Minister of Labour):** On a point of order, Mr Speaker: I think we're supposed to split the hour among the three parties. That was agreed, I

think. Agreed? I mean I think that's what we were supposed to do.

**The Deputy Speaker (Mr Bert Johnson):** I think we better make sure. Is somebody proposing this?

**Mr Dwight Duncan (Windsor-St Clair):** I believe it's already agreed.

**The Deputy Speaker:** So be it.

**Mr Skarica:** If I could split my 20 minutes with Mr Tascona and Mr Wayne Wettlaufer.

We listened in these consultations and we responded with this bill. This bill would help the needy access their own funds today when they need the money most.

It gives people more discretion and control over their lives.

Bill 27 would also streamline pension administration and rules in Ontario and make them more compatible with pension legislation in other jurisdictions in Canada.

I want to thank everyone who participated in the consultations in 1998 and 1999 and those who wrote giving us their valuable input.

Almost 50 submissions were received from professional associations and financial industry stakeholders, and over 75 submissions from interested individuals on reforming the Pension Benefits Act. It is because of the input that we received that we are modernizing the pension system in Ontario so that it responds to the needs of members and plan administrators.

The year 1999 is an appropriate year to implement these changes as it is the International Year of Older Persons and so it's a truly appropriate time to introduce this legislation which would help pensioners.

The amendments to the MPPs Pension Plan Act, 1996, complete the transition to an RRSP-type plan that was committed to in 1996 and also in the Common Sense Revolution. No additional taxpayer dollars would be spent on this initiative. MPPs would have more flexibility in planning for their families' future.

With Bill 27 we are continuing to make Ontario the best place to live, work, do business and raise a family. With Bill 27 we are ensuring that Ontarians in difficult circumstances are treated with dignity and respect.

Further, an issue came up in the debates on second reading as to why we should proceed with this bill in haste, and is there any urgency to passing this bill? I've had my staff check letters we have received over the past couple of years, and here are some of the comments we've had from individuals who are in need and who will benefit from this legislation. As I've indicated, this government has heard from people and organizations all over Ontario pressing for legislation to assist them through hard times and through illness, and those asking for flexibility and fairness for the means available to them to access their money. Here is what some of the people have said in the letters that are in our files. We have one letter from an individual who indicated as follows:

"In the mid-1990s, my husband suffered a debilitating stroke. After several months of rehabilitation it became apparent that he would never be able to return to work. It



is now over 18 months since [he] had the stroke.... [His] sudden incapacity has left me facing considerable debt ... we are living in a home where we cannot afford the heat or the maintenance.... We have no bath or shower. Walking is impossible without a cane and night-time manoeuvring is dangerous.... We must move or renovate to reduce costs.

"We have been desperately looking for solutions that will allow us to pay our debts and retain our independence without relying on government-subsidized retirement homes.... I am selling all but essential possessions."

This couple have several hundred thousand dollars in life insurance paid in full through decades of premiums. However, to access the funds they need, they point out that, "We have to die first."

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In closing, they told us that: "We have borrowed from family and friends and have nowhere else to turn. Please help us get our money. We are not asking for a handout, but a hand up!" Here's an example of people who have access to monies, but with the legislation prior to Bill 27, they are unable to access it, and these changes will change that situation to help them out.

Another individual wanted to know why self-directed plans are not open to those who own them. Again I'll quote from a letter that we received. "Why are we allowed control over our investments and not over the 'fruits' of these investments? I resent becoming a burden to family and government, when we have vested money to look after ourselves.... I would like to make [my husband's] remaining months or years happier. At the present time we spend most of our time staring at the TV and the four walls that surround us. We cannot even consider a retirement home without a government subsidy." Again, these are individuals who could access monies, but cannot under the prior legislation. This legislation will remedy that.

Yet another individual said: "I have been diagnosed with [a debilitating illness].... I can no longer afford medication. Government legislation prevents me from accessing [my locked-in RRSP monies]. I'm aware that starting next year I will be able to receive some of this money as an annuity, but I need all of it, hopefully to save my life." That individual will be assisted by Bill 27.

Yet another individual said: "My disability pension is not enough to live on. My health is getting worse. [Financial planners] say I can get my money only if it was terminal. It's terminal all right, when I die it's going to be from the health problems I have now. How long depends on how good I can look after myself. I am anxious to hear from you." This individual will now hear from us, and in fact from the entire Legislative Assembly, with the passing of Bill 27.

Another individual indicates: "A great many of us have used all our savings and are just surviving on small fixed incomes. This money would make our forced early retirement less financially stressful and afford us a better quality of life. I would like to see special consideration

given to people in these circumstances, and would like this issue proposed in the form of a bill in the provincial Parliament." That bill now exists in this Bill 27.

Finally, another individual: "I have tried to unlock this pension plan because of a desperate financial situation that we find ourselves in. I am not trying to use up all the funds, only a portion of it.... I do not see the point in my being restricted from using my own funds to take care of myself.

"Today ... my wife and I find ourselves in a desperate situation, and we have funds sitting in a plan that is being held up by bureaucracy and will, in turn, force us to rely on the taxpayers of this province. Please look at this situation as quickly as possible."

We have listened and looked into the situation, and with the passing of Bill 27, that's yet another individual who will be assisted. I'm confident that every MPP in this House has had letters of a similar type, with similar pleas. This government is now listening to those pleas. With the passing of Bill 27, numerous individuals in financially desperate circumstances with shortened life expectancies will now be able to access their monies and will receive the financial assistance they need.

That completes my comments on the third reading of this bill. I would like to turn it over to my colleague and good friend Mr Tascona.

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** I'm very pleased to join in the debate on third reading of this bill. I spoke on it earlier. The two points I want to focus on, which I think are the major aspects of Bill 27, the Pension Benefits Statute Law Amendment Act, are the financial hardship provisions and the shortened life expectancy provisions.

**Financial hardship:** Funds in locked-in retirement accounts will be available to individuals in cases of serious financial hardship. Individuals must apply to the superintendent of financial services of Ontario, and an application to withdraw funds due to serious financial hardship will be based on specific criteria.

The shortened life expectancy provision deals with individuals faced with shortened life expectancy due to a critical illness or disability. They would be entitled to withdraw all monies from their locked-in accounts.

What we're looking at here is trying to help people who are in need, be it financial hardship or shortened life expectancy. In my riding of Barrie-Simcoe-Bradford, we have heard loud and clear from people who wanted this change. I'm going to share with you some of the stories I've heard. They certainly me prompt to support this piece of legislation.

One letter I received was dealing with a very difficult situation in terms of health care. I'll just quote from it. The person indicates that their funds are locked in under the Insurance Act and they would only be released with a letter from a doctor stating you have a short life expectancy. Both constituents are not in the greatest of health, one due to Parkinson's disease, and high blood pressure on the part of the other person. They're asking me, as their MPP, to see that this legislation goes

through. What they're facing is death, through no fault of their own. They have reached the point where they're paying out more money per month than they're receiving. All they're asking me as their MPP to do is help them with respect to this piece of legislation, that would allow them to get at the funds that are theirs; it's their own money. I received this letter back in July of this year and fortunately the government, on its re-election, has moved very quickly, and the legislation is going to be in effect January 2000. That's good news for the people from my riding, when they're dealing with the shortened life expectancy.

Another letter I received was with respect to an individual who had to retire because of serious and permanent injury. He wanted to change his career focus and also needed to get at his locked-in RRSP funds and pension funds to make sure he could do this. They had to sell their home, most of its contents, and had to move into a modest apartment because they couldn't get at their locked-in funds. That's certainly a tragedy. The interesting part of this letter was that he indicates:

"I came across some information at the financial services office in DeVry"—which would be the DeVry Institute—"which appeared to fit my situation perfectly. The province of Ontario is part of an initiative to assist mature students" and "provided for a student loan to help with living expenses. Students are allowed to borrow against their RRSPs to help offset the costs of attending school and raising a family."

The measure that the government has taken will certainly encourage mature students to change their career focus and get on with another career. But in this situation, this person had to go to a bank and he spoke with their loan officer, only to find out that the RRSP wasn't eligible because the retirement funds originated from the OMERS plan. They're locked in and cannot be borrowed against.

The question that he puts to me is, he understands why the rules were invoked, because he was paying into the fund at the time, but what he's having trouble with is why he can't borrow against the funds under the present legislative rules of repayment. He wasn't trying to cash in his policies. He was just trying to borrow against the value.

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That's a situation where an individual had to retire because of a permanent injury. He's trying to change his focus and his career, trying to get at the monies that he has saved through a borrowing mechanism, which you can do if you're a mature student in terms of borrowing against your RRSP to be able to go on in school.

But in this situation, this individual wasn't able to do that. That's the financial hardship situation where we have an individual who has to sell his home, sell the contents and move into an apartment, and can't pursue the changing of a career because basically his hands are tied with respect to trying to get at the locked-in retirement accounts. That's what this legislation is going to do. It's going to allow individuals to get at their own money.

It's going to protect them, I would say, from going into bankruptcy to protect themselves from their creditors when they could be contributing citizens in our society in terms of trying to move on with their own career, trying to pay their debts and just basically using the funds that they need at the time.

That's what this bill is going to do. I think that's the fundamental principle that we as a government are trying to do with respect to helping individuals. Certainly, that's going to help the family. It's obviously going to help children in terms of what we're trying to do with the retirement savings reform. There are many, many cases out there that we're dealing with respect to people who want to have access to their retirement funds. When you look at the exceptions here, certainly they're going to use the money because they need it, either from financial hardship or shortened life expectancy.

In principle, we promised that we would do this in the 1998 budget. Certainly there was extensive consultation with respect to the pension reforms, but the hue and cry from the people—and we're not just talking recently. I know an individual in my riding who had to go bankrupt because he couldn't have access to his RRSP. He would never have gone bankrupt if he would have had that access. Now this bill will allow, starting in January 2000, individuals who are put in those circumstances to have that opportunity.

On another note, in terms of my riding of Barrie-Simcoe-Bradford, I'm very pleased to see the initiatives that the government has taken within my riding. We've kicked off the new Ontario SuperBuild Growth Fund, a five-year, \$20-billion partnership. The government of Ontario is going to be providing \$2.3 million towards the cost of interim improvements on the Highway 400/Innisfil Beach Road interchange. That was announced by the Minister of Transportation. There are going to be improvements in terms of design to ease the traffic flow, increase safety and pave the way for future developments. That's something that is a tremendous need in my riding of Barrie-Simcoe-Bradford on Highway 400 on the Innisfil Beach cut-off.

On that point, I'm going to turn my time over to the member from Kitchener.

**Mr Wayne Wettlaufer (Kitchener Centre):** I'd like to address this bill by commenting on how, over the past year, year and a half, there were several members of my riding who came and expressed a very grave concern that they weren't able to access their pension funds because of the fact that they had been locked in. These people were suffering with an illness and they would have liked to have taken trips or to have used the money in other ways, maybe having some parties, socializing, whatever, and they were not able to access this money. It reduced what they felt was already not the greatest quality of life in the world because of the illness they were suffering. They felt that it was their money and they couldn't understand why they couldn't access these pension monies even though they were locked in. I remember



taking the issue up with the Minister of Finance at the time and of course, this is addressed in this bill.

I felt very bad when a couple of those people who had come in to see me could not live out their remaining few months or few years in a fine quality of life. I was distressed when I saw they had died and the money they had, which was locked into an annuity, went not to their estate. First of all, they were penalized in that they could not have a good quality of life in their remaining few years, or few months, as the case may be, but then on top of it all, their pension monies didn't go to their estate, to their family. Their pension monies went to the life insurance company or to the financial institution. I was quite distressed at that.

I was in the insurance business for many years, but nevertheless, I never thought that was fair. To this day, I don't think that was fair, and there is no doubt in my mind that the life insurance companies are going to holler blue, bloody murder. They're going to holler and holler and holler, as loud as possible, and so are the financial institutions.

I don't know how the Liberals can justify opposing this bill. I don't know how they can justify seeing these people continue in that manner. I know that some of the Liberals have expressed concern that the MPPs' pensions, which will affect 61 former members, and some present members of this House—that they will be able to access these funds.

I invest my own RRSPs. I know most of the members in this House invest their own RRSPs. I know you do. Why should a few a members, past and present, not be able to invest their own funds? Why should they have their funds locked up?

*Interjection.*

**Mr Wettlaufer:** That's correct. So I think it's a simple matter that these former and present MPPs should be able to access that money and invest it.

If they make a mistake, if David Peterson or Sean Conway or Mike Harris or Bob Rae makes a mistake in their investments, well, I'm sorry, I don't feel sorry for you because we're all subject to the same risks when we make investments in our RRSPs. That's a fact of life.

**The Deputy Speaker:** The member's time has expired.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I'll be sharing my time with my colleague from Windsor-St Clair. I want to begin my remarks tonight by saying that the previous three speakers in the main make a strong argument for a very substantial part of the policy that's contained within in Bill 27. Any fair-minded person would want to support most of what is contained in this bill and I want to support most of what's in this bill.

Our former friend Bill Grimmett and others did good work and the stories that have been told by colleagues in the government, members of my own caucus, members of the third party, are compelling stories that justify most of the changes that are contained in this bill.

I have one very major caveat and it concerns sections 20 and 21 of this bill. I want to put on the record again

tonight what my concerns in that respect are, because we are not doing what we said we were going to do in April 1996. There has been some confusion sown about what this is all about.

Members opposite and the very competent minister's assistant, the member for Wentworth-Burlington, try to create the impression—and my friend Sampson's here and I'd like him to join this debate because he knows it probably better than most of us, being a former investment banker and all. What is being suggested—

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*Interjection.*

**Mr Conway:** I must say that we got a delicious bit of pre-Christmas pudding tonight from Speaker Carr. The point that's being suggested is, were we really just giving those members an opportunity everyone else would have? That is not true. That is not accurate.

I go back, as I did on second reading, to remind the House of what Mr Eves said on April 10, 1996, on the critical point of what happens and what would happen to the monies that were vested on behalf of members of the Legislature who were part of the old plan. Mr Eves, the Minister of Finance, said very clearly on April 10, 1996, that, "All members with benefits earned under the old plan, who have not yet retired, will have the appropriate funds transferred to a locked-in retirement plan."

Understand that if you were a member, fully vested under the old plan, as I was in 1996, and that plan was basically cancelled, what was going to happen to me, with all the monies that had been in the old plan, was essentially what would have happened to anybody in a similar situation where a company plan was being wound up. Those monies would be rolled into a locked-in retirement account, which would be governed by the pension benefits rules. The key rule there is that you are only able to withdraw a certain amount of money in any given year. That is a clear and understandable restriction under the so-called LIRA rule. That was going to apply to all the monies that had been vested on behalf of members who had entitlements under the old plan.

Members like myself and others, who were still here and were going to continue, would now join the new RRSP plan and have access to our monies on that part of the plan under the RRSP rules, and that's fair. That was clearly what was intended, and it was put under the understandable rubric of no special deals for people—most especially, no special deals for politicians—and we all said yes to that. There was no discussion in 1996, public or private, about turning vested monies out from under the LIRA umbrella and over under the more flexible RRSP umbrella.

**Mr Wettlaufer:** Why does it affect you?

**Mr Conway:** Listen, I'm no financial planner, but I have talked to financial planners. As I said here the other night, it's no secret what my payout was. I have checked with a number of financial planners and they said, "You should be so lucky as to be able to now take that payout"—which was initially made under the so-called LIRA rules—"and convert that to the more flexible and

more promising RRSP rules." There is a real benefit to me and to others with names like Harris and Eves, and you know the others. That's a special benefit.

**Mr Wettlaufer:** It doesn't cost anything to the taxpayer.

**Mr Conway:** I accept the argument that it's not going to cost the taxpayer any money. That's not my objection. My objection is twofold: This is a breach of a promise we made. We made an all-party agreement. That legislation was passed in 1996 with everybody understanding the intentions. There was no talk, public or otherwise, of retroactively changing those rules. Certainly there was no talk of changing those rules to the benefit of a very small number of people who happen to be in the Legislature.

I would say to my friends opposite that it may very well be that you want to do this, but my argument is simple: If it's good enough for Conway, Harris and Eves, it should be good enough for the guy or the woman who worked for the Acme Power Co, let's say, a company that had a plan that was wound up. I'm sure there are lots of examples where company pension plans, defined benefit plans, were wound up. What would happen to those people? Then and now, as I understand it, those people have only one course: The vested monies go into a LIRA account. That's exactly what we said we would do to those members who had been vested under the old plan, because the generally applicable rules for that kind of commuted pension account.

Now, three and a half years later, we come and say, "We really didn't mean that." Well, I'm sorry, the record is clear. Quite frankly, members elected in 1995 and 1999 are largely absolved of this, but people like Conway, Harris, Eves, Runciman and Sterling are not. In fact, I could argue a case that we are really in some difficulty standing in this House and voting on this, because we are, with the passage of this bill, conferring upon ourselves and upon our pocketbooks a real pecuniary benefit that is not generally available to the rest of the assembly or certainly to the rest of the public.

You can absolve me of this problem by doing one of two things: Amend this legislation to eliminate those offending sections and carry forward with what I have said before is an otherwise good bill with good policy that the people opposite have spoken eloquently to tonight or, alternatively, make that special provision of retroactive conversion of LIRA monies to RRSP monies available to the general public, thereby eliminating the obvious special treatment for a very small number of special people, one of whom happens to be the Prime Minister of Ontario and one of whom happens to be the dean of the Legislature.

As I take my seat, let me read again Minister Eves's comments as he introduced Bill 42 back in April 1996. What did he say? He proudly said, "We will end the sweetheart deals for politicians." We all cheered, and we all voted for it. What are we doing now? We are betraying a promise made to this Legislature and to the public.

I noticed in the *Globe* today that the Canadian Association for the Fifty-Plus have apparently written a letter to the Premier of Ontario saying, "We don't like the

sweetheart deal either," and they shouldn't. This should be truly obnoxious to every fair-minded member of the community and certainly every member of the Legislature. It is a small point that speaks to fundamental values, and I submit that everybody here knows that.

Don't think for one moment that I didn't think about just quietly going for a walk when this bill came forward. I repeat: Nobody is potentially going to benefit more from this than myself. I don't want to sound like some tub-thumping, 18th-century New England preacher, but as I turn the topic over to my friend the House leader, let me say that this is wrong. We should not do this, because it betrays a promise we made to the assembly, to the public and to ourselves. It clearly establishes a double standard to the benefit of important politicians with names like Conway, Harris and Eves, and holds us up to ridicule and abuse which, if we do not move to address with proper amendments to Bill 27, we regrettably will deserve.

**Mr Duncan:** I am pleased to follow my colleague from Renfrew, who has placed more eloquently than I ever could, both tonight and on second reading debate, the principal problems we find with this bill.

Let me say for the record that changes are proposed in this bill which we believe are necessary and needed. Like members opposite, like my colleagues in our caucus, like our colleagues in the third party, I have dealt with constituents who have been put at severe financial hardship, and had they been able to access a locked-in retirement account, they could have, in one case that I worked on for some time, avoided losing their home. There is no question that those changes would have benefited the vast majority of people.

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But like my colleague from Renfrew, I remember the debate in 1996. I remember the commitments of the government at the time. I remember the commitments that those of us on this side of the House made. We wrapped up the so-called gold-plated pension and we set up a new RSP. We agreed to certain undertakings and we made certain undertakings here in this Legislature and to our constituents. Like members opposite, I too voted in favour of those changes.

Until this issue was raised recently, I was under the assumption that what was done in 1996 was going to stay in place. We assumed, believed and indeed urged the government to bring forward the other changes that are contained in this bill. Frankly, when I first heard they were coming forward, I was quite pleased. But when I discovered and when we saw what actually came forward, when we saw essentially the government looking at 1996 legislation and undertaking in the face and throwing it out, we were extremely disappointed, to say the least because, as my colleague has said, the bill creates a double standard. It treats the average person out there differently than it treats certain people in this Legislature, and that's truly regrettable.

One of the issues my colleague didn't raise that I wanted to talk about is what the government has been



doing in terms of how it sets up these bills and how it tries to hide something in a bill—a bad thing among certain good things. I remember Bill 23, which was subject to closure debate in this House, that the government pushed through. That's the bill where we now discover the government has given the Ontario hospital insurance plan the right to sue third parties to recover health care costs. At the same time, they gave the Minister of Health essentially the powers that were originally bestowed on the Health Services Restructuring Commission under Bill 26, the bully bill.

We have seen many examples of this type of legislation. We see Bill 25, which the government attempted to drive through this Legislature tonight. Originally it was going to be second reading, third reading and then everybody goes home for Christmas because, "We don't want to debate it; we want to end it." They take all kinds of things and put them into one bill and try to pretend that the bad things aren't really happening. That's no way to govern. That is no way to do public policy. If we're truly interested in public policy that is meaningful and responsible, then we ought to be prepared to debate these things in and of themselves.

If the government really wanted to deal with the MPPs' pension and they really wanted to confer a special benefit on us, why didn't they bring in a separate act? I would submit it's because they know full well that they are undoing the undertaking they made to this House and to the people of this province in 1996, indeed I might add in the 1995 election campaign, and even before that in debates here in the House about that very plan.

No matter what they say here in this debate, their actions belie what is going on. They wanted to slip this through, hopefully unnoticed. I suspect there were changes in the bill from the time it was first conceived, I presume by senior members of the government, until the time it came to this House for first reading debate. I suspect there were substantial changes based on what we've gleaned from members of the government caucus and others.

I join my colleagues in saying there ought not to be a double standard. I say to the government again, divide the bill out, treat this special prize you're giving MPPs differently, treat it separately and let us vote on it separately. Let us take those good provisions and let's not corrupt them, let's not tarnish them by tying to it what is essentially an obnoxious change. Give us the opportunity to pass those parts of this bill which we think are sound public policy, which I know many members of the government believe are sound public policy, and let's leave the special treatment for MPPs out of it; or, if you want to continue on the path of giving special treatment to MPPs, bring in a separate bill. Don't try to camouflage it, don't try to hide it and don't try to let it slide through on the good intentions of the other part of the bill.

Many of us have seen plans wound up. I would suggest it's not even when plans are wound up; it's when people leave employment and they wind up their own personal plan that they roll it into a locked-in retirement

account, when they had a defined contribution plan before.

If you're being completely honest with yourselves as a government, give us a separate bill that deals with the MPPs' pension and let us all vote in favour of the other changes. The double standard you're creating in this bill contributes to the bad image that people have of people in public life. As my colleague from Renfrew said, we made a commitment here in this House, and here we are three years later essentially undoing it.

In conclusion, I support those provisions of this bill which will allow people in certain circumstances that will be more clearly defined in regulation to access locked-in accounts, particularly those who are experiencing financial hardship or shortened life expectancy, but we cannot and ought not to support this bill in its entirety because of the special treatment it gives MPPs. It is breaking what was I believe to be a fundamental commitment that all of us in this House made three short years ago. I say to the government, when you conduct public policy in this way, you bring shame on all of us.

**Mr Rosario Marchese (Trinity-Spadina):** I thank the member from Thornhill, the member from Bramalea-Gore-Malton-Springdale and the member from Scarborough Centre. Speaker. Before I begin, I want to say that I'll be sharing my time with the member from Hamilton West. But I have been given dispensation, should I have a lot to say, to occupy the entire time, just for the record.

My nightmare is that I might end up spending Christmas Eve in this place with these people over there. That's the worst nightmare a member on this side could have. I tell you, if it continues this way, where we're sitting here tonight till, God knows, midnight, and Monday and Tuesday next week are already certain, but I'm told we could be here Wednesday and Thursday, no less, think of the nightmare.

**Mr Brad Clark (Stoney Creek):** That's not fair.

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**Mr Marchese:** I wanted to put it on the record because I've got things to do and love to be with people I love. I've got to be frank with you: This is not a group that I particularly love. I have regard for some, and because I'm getting older I'm beginning to like a few. That's a serious deterioration and flaw of character, I have to admit.

**Hon John Snobelen (Minister of Natural Resources):** On a point of order, Mr Speaker: I wonder if we might seek unanimous consent to allow the member for Trinity-Spadina to go home.

**Mr Marchese:** To go home? Speaker, I would love to go home, but these people are in such a hurry to pass so many bills. As you know, they've put the noose to so many debates. They did. You understand how the noose works. That's what they've done to this debate and to every debate in the House. They've put time allocation to bill after bill, meaning that we are prohibited from having our say, except for a mere 20 minutes that I may have to share with my colleague from Hamilton West. That's

what we're reduced to, sharing time with members to speak to particular bills. Can you believe that, Speaker? I know the public can't believe this, because some of them want to see us speak and they want to see us speak at length, on this bill, on other bills, and on any matter that concerns the citizens of Ontario.

You will recall, Speaker, that yesterday I spoke to this bill. I believe that you were here and you may have been in the chair. I have raised concerns about this bill, but not once did any of the three members who spoke today respond to any of the concerns we raised. In fact, they were repetitive, as is their fashion, raising the same themes that they've been raising for the last couple of days. Yet, in response to what this opposition member had to say, there was no response.

Mr Skarica, the member for Wentworth-Burlington, who spoke to this bill, talked about the hardship provision and read out, for approximately more or less, 10 minutes, from individuals who wrote to him saying how wonderful this bill is, "Please do it in a hurry," and so on. That's all fine. I want to hear from those national seniors' organizations, but I would also love to hear from people who have particular expertise in pension matters who could comment on this bill.

The other day I read sections of the bill that are very technical. Of course they're written by lawyers, understood generally only by lawyers, and we are grappling with them as ordinary Homo sapiens do here in this House. It's not easy. We've come up with some interpretations of this bill that I think are critical enough and we have some basic understanding of it, but it's very technical. I think we would benefit from having these bills, especially these types of bills, go out for public debate, for public scrutiny—not just debate, but scrutiny, because that's what such a thing would permit us to do.

If this bill is a debate presented by this government and opposed by us in great part or in some part simply with the expertise that we provide, we argue that it's not sufficient. We would love to see the level of support expressed by the member for Wentworth-Burlington from all over the province, if indeed such support exists. But I would wager to say to the public that's watching that 99.9% of the public doesn't have a clue about what this government is doing, not just with this bill but with countless bills. But again, because of the depth and wisdom this party has, I guess they must assume and think on behalf of 99.9% of the population that isn't able to reflect on this, debate on this, think about it and bring some opinion and expertise to this bill. I don't think this party and this government should set themselves up as being the overseers of people's opinions.

*Interjection.*

**Mr Marchese:** I know you got elected in 1995 but—

**Ms Mushinski:** The social contract comes to mind.

**Mr Marchese:** I know you'll always whine about something from the past, but the fact that they elected you in 1995 doesn't mean that they elected you to put forth such a bill. So when you put forth a new idea, it should be out there for public debate. I think it's only

right, it's only fair and it makes sense. I think the public would think it appropriate that you should do that. But you people don't do any of this.

You're going to drag me through this place, through Christmas Eve to spend that night here with you people. I tell you I don't like it, and I wager that on that particular night the people are not going to be watching us. They're certainly not going to be watching you.

*Interjection.*

**Mr Marchese:** I've raised objections to this bill.

**Ms Mushinski:** No.

**Mr Marchese:** Yes, I have. You weren't listening. You don't listen. If you indeed have all the knowledge that you need, then you can pass any bill you want, and presumably we on the other side are all simply debating but with no substance, of course, because only the Conservative members bring forth substance in this place.

We said, look, subsection 8(1). I know it looks very harmless when you look at, right? If you can understand it, it looks very harmless. If you don't understand it, it's incomprehensible and therefore it's meaningless to most humans. It says that in a multi-employer pension plan the administrator may be one of the employers. Do you recall that discussion? It's not much of a dialogue because you haven't responded to my comment, but at least I'm able to put it out for the record.

What it does is strip away a right that has been won by workers through the court system, because the courts have determined that multi-employer plans must be administered by a board of trustees, with half of the board made up of representatives of employees. I've raised that twice. This issue has come back here twice, hastily I would say, but none of you has responded to this, either by way of confirming or denying.

When you cut the debate, if you don't answer our questions and the public doesn't have an opportunity to read the bill—at least those who could understand it—and then be able to come to those hearings that New Democrats used to hold on a regular basis so that we could hear from the public, if you don't do that, it means that I'm not satisfied in terms of my ability to raise a question because you're not answering any of our questions. We're on our own, effectively. The public is on its own. They are literally defenceless against this onslaught of government by decree.

**Hon Mr Snobelen:** What about Rae days?

**Mr Marchese:** "Rae days"—you guys whine so much. You're always whining. I remember Mike Harris on this other side. Member for Hamilton West, do you remember the leader of the Conservative Party when he was sitting more or less right over there?

**Mr David Christopherson (Hamilton West):** Clear as a bell. The good old days, actually.

**Mr Marchese:** Recessions are never good.

**Mr Christopherson:** We didn't have Harris in power, though. That was a good thing.

**Mr Marchese:** But Harris was not in power then and that was a good thing. People don't realize that if we had



had Harris in that recession, it would have been a true serious disaster for men and women in Ontario.

Bob Rae, our leader, used to say, "We are not getting the transfer payments from the federal government." At the time their buddies the Tories were in power and they started the cuts to the transfer payments in Ontario. Some people perhaps do not remember that. But now the Tories are constantly whining about the Liberals having slashed their transfer payments, forgetting that the Tories did that to New Democrats and the Liberals are doing that to the Tories at the moment. But they whine. When Rae used to raise this issue, Mike Harris used to say: "Stop whining. You've got the wheels now." But for the last two years all we hear is the Minister of Health, the Minister of Education, the deputy leader, Mike Harris, in a continuous whine about the federal Liberal government not giving them the money and that's why they can't do their job in health and education and so on and so on.

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I wanted to point that out because some of you, M. Wettlaufer, were not here then, when your leader was saying to us, "Please, you've got the limousine, you've got the power." Now that you people have the wheels and the power, you can't leave those feds alone. You can't leave them alone because you desperately need the money to satisfy your urges to give tax cuts to rich people. Because you need more money to put into services such as health, education and the like, you want some money to flow in from the federal level. That's why you're whining, because you're giving it all away to your rich friends and you have very little left. "We've got to give our money to the people who own the money." Stop whining, because you sound like kids, and your leaders—you've got wheels, you've got limousines, you've got ministers, you've got power. Please.

Member from Scarborough Centre, I'm going to debate the second point that I raised earlier on, but I'll raise this matter with the others. Subsection 67(5) is the one that deals with hardship. We don't have any problem with the hardship clause. Inasmuch as it relates to people who face terminal illness, we believe it's not a bad thing. We think it's a good thing. Where we disagree with the government, and Mr Skarica as well, in this regard is that you have given yourselves the power to determine hardship in your own little backroom. That's the disagreement. We would love to see language describing hardship here for debate so we would have a better sense of its possible use and its possible abuse, but as it relates to terminal illness, it's not a bad thing.

**Mr Christopherson:** They're experts in hardship; they create a lot of it.

**Mr Marchese:** They're experts at hardship? They create a lot of hardship? Like the municipal bill, the tax bill, they passed one after the other after the other; seven bills to correct the previous one. I understand that.

We disagree with doing it in the backrooms, not every MPP backroom, because we know where decisions take place. So we're debating that. We're debating the definition of "hardship." A lot of us are worried that if a lot of

people have access to it, they will use the money in ways that we fear could hurt some of them in the end, because they're designed to be pensions. They're designed to protect people in their old age, assuming we live long enough in spite of the spillage of waste that's in our water and in the air, permitted courtesy of this government.

In this particular case this government says, "You want to be Big Brother all the time." No, I say to you. I argue that you cannot be inconsistent. With municipalities you have used the Big Brother approach, saying, "They don't know what they're doing." Isn't that true?

**Mr Wettlaufer:** We didn't do that.

**Mr Marchese:** You did, with the amalgamation of Ottawa, Hamilton and Toronto, the downsizing, and the amalgamations here. In that particular example, you have been nothing short of Big Brother. You have determined that they are incompetent, you have determined that they are not protecting their taxpayers, but even there, when it's convenient for you folks, you say, "You don't trust municipal politicians." You have often said that too. You are remarkable in your use of contradiction, and it astounds me that people let you get away with it.

Big Brother for the municipalities, because they don't know how to amalgamate themselves, and they need to, but on this particular issue you say, "No, we don't want to be Big Brother, we want to give them a choice." The thing about Tories is that they want it every which way, something that normally used to be a reserve, I thought, of my good friends the Liberals, but you people are good too. You people are really good at having it both ways. Your contradictions are egregious, yet the best way not to expose them is not to take anything out to the public and contain the discussion in this House. That's the better way to deal with it, it seems.

I raised another matter: section 93. We've argued here that the corporations must have lobbied you boys pretty good. I know they don't lobby, really, and you really don't have any friends in that particular corner, and they really don't contribute to your campaigns. You're quite right. Only the poor make contributions to your campaigns.

*Interjection.*

**Mr Marchese:** I'd love to talk about that but I only have two minutes and 30 seconds to deal with this bill. You give us no time for anything.

I've raised this matter because—let's leave the intense lobbying by the employer aside. It relates to pension plans with members in more than one province, as many do, but such pensions are registered, by and large, in Ontario. This particular change benefits companies, your buddies, the ones who have you in their pocket or pockets, because they'll be able to go to any province with this particular change where it's most suitable to them, meaning where the benefits are fewer. Isn't that wonderful? I suppose this will create jobs for people, you might argue.

No one has responded to the concerns we have raised here. We've said a number of issues are very progressive

here in this province that are not contained in other provinces. Allowing this particular change in section 93 will erode some of the benefits that working men and women have.

The final point that I touched on yesterday as well relates to the MPPs' pensions. My strong disagreement with you—and I would love for you to acknowledge it—is that your leader, the Minister of Finance and others continue to say, "This was part of an agreement." It was not. All I want you to do is to own up to it, admit that it's yours, admit that you want it, and it will be a lot easier for us to debate this issue differently.

But when you try to suck me and the rest of the opposition into something you have done in order to try to convince the public that we were all in agreement, I tell you I disagree with you. This is a section that benefits 64 members of this place in a way that it benefits few people. Say that. Admit it. Don't hide from it. You generally don't hide from anything because you're all so tough, but on this particular issue you seem to weasel under the carpet, skulk away like skunks under the carpet.

Speaker, thank you for the opportunity.

**The Deputy Speaker:** According to the law of statistics and things, pursuant to the order of the House dated December 15, I am now required to put the question.

Mr Skarica has moved third reading of Bill 27. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be up to a five-minute bell.

*Interjection.*

**The Deputy Speaker:** "Pursuant to standing order 28(h), I request that the vote on Bill 27 be deferred to the next sessional day during routine proceedings." So be it.

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#### CONCURRENCE IN SUPPLY

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** Mr Speaker, I seek unanimous consent to call government orders 1 through 3, inclusive, so that they can be moved and debated together and that at the end of tonight's debate there be a recorded division on the concurrences and that it be deferred until tomorrow during routine proceedings.

**Interjection:** Not tomorrow; the next sessional day.

**Hon Mr Clement:** The next sessional day.

**The Deputy Speaker (Mr Bert Johnson):** Mr Clement has requested unanimous consent to debate them together.

**Mr David Christopherson (Hamilton West):** On a point of order, Mr Speaker.

**The Deputy Speaker:** Yes, I'm going to take that point of order right now, please.

**Mr Christopherson:** Thank you, Speaker. I appreciate that. Perhaps your indulgence of one to two minutes, just to consult and ensure that we're on track—things are moving kind of quickly here today—because if there is unanimous consent we want to give it, and if not, I want to make sure they don't get it.

**The Deputy Speaker:** Yes.

*Interjections.*

**Mr Christopherson:** Careful, careful.

There was a breakdown in terms of all of the caucuses being reached as to what's being put, so I have members throughout the Legislature who are watching, to explain this won't change in any way the time that's allowed or the vote that takes place, other than it gives us a breadth of debate among more ministries in terms of the estimates that we can debate. In light of that, then I do agree with the unanimous consent on behalf of the NDP caucus.

**Mr Dwight Duncan (Windsor-St Clair):** Mr Speaker, we did communicate earlier. We accepted this and we're also grateful that the government will not raise points of order if we vary into estimates as they come up. That's my understanding of the agreement.

**Hon Frank Klees (Minister without Portfolio):** Speaker, we certainly concur with that. We will be watching very carefully, however, the range of debate. We are not agreeing that there will not be any points of order. We can't allow ourselves to be bound to that degree, but we expect that the opposition will be reasonable in their debate.

**The Deputy Speaker:** First of all, I'd like to say that none of those three are points of order.

Mr Clement actually has asked for unanimous consent to call government orders 1 through 3, inclusive, so that they can be moved and debated together and that at the end of tonight's debate there be a recorded division on concurrences and that it be deferred until routine proceedings on Monday, December 20, 1999.

I wanted to put that forth because that is what I'm asking. Is there unanimous consent to that? It is agreed.

**Clerk at the Table (Mr Todd Decker):** Government order 1, concurrence in supply for the Ministry of Community and Social Services (supplementaries only); government order 2, concurrence in supply for the Ministry of Education and Training (supplementaries only); government order 3, concurrence in supply for the Ministry of Municipal Affairs and Housing (supplementaries only).

**The Deputy Speaker:** Debate?

**Mr Toni Skarica (Wentworth-Burlington):** It's my pleasure to open up the debate on the supply regarding the items, as listed, and in the standing order.

The details of this year's supplementary estimates are as follows and are the subject of the supply requests by the government.

Under community and social services, the expenditure item is child welfare, \$106.2 million; municipal affairs and housing, for federal and provincial social housing, is requesting \$196 million; education and training, the



expenditure item is general millennium awards, \$107.1 million; the Ministry of Education and Training, for the expenditure item employment insurance training agreement with the federal government, requesting \$47.2 million. The total is approximately \$556 million that's the subject of this supply motion.

I might indicate that these are substantial expenditures and are consistent with the government agenda. Dealing, first of all, with education and training, the expenditures there, contrary to what you hear from the opposition, have been going up each and every year.

For example, if you go to the Ontario budget, page 54, you will see—and there is a proviso here that there was some restructuring and reallocation of education and training monies—that in 1995 education and training had a budget of \$8.4 million, and then it was reduced to \$7.8 million in 1996-97. That was because, at that time, as you will recall, the Ontario government had an \$11-billion deficit. It was in fact taking monies out at that time in order to try to balance its books. But since that time, expenditures in education have been gradually rising. In 1997-98, \$7.7 billion was spent in education and training, but with school board transition restructuring of \$224 million, the total was higher than the year before.

The next year, there was a restructuring with the downloading and uploading. I won't get into the details of that, but the amount of spending in education and training by the province dramatically escalated to \$11 billion. The total sum with that, with the property tax that was being paid by residences and businesses, was an all-time high in spending in education. I believe the sum that was being spent for school boards was around \$12 billion. As you can see from the budget, the amount being spent for education and training is going to escalate further to approximately \$11.2 billion—that's in the Ontario budget.

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It's a well-known fact that next year's anticipated total operating expenses for the Ontario government will be at an all-time high of \$56.8 billion. The reason for that is that two areas of spending are going up dramatically. They are education and training and health care.

As is probably pretty well known now, the amount of spending on school boards is going up. At the same, the government is about to make a major investment of \$800 million to \$900 million in infrastructure spending in the university system. So total spending in education and training and colleges and universities, if we put it all together, is continuing on an upward trend and is at an all-time high.

The other area that is escalating pretty dramatically is health care. If you look at the budget, in 1995 we spent approximately \$17.6 billion in health care. That has steadily increased each and every year, to the point this year, 1998-99, that we're spending almost \$19 billion, and next year the expenditure will be over \$20 billion. So contrary to popular belief, what's being spent by the Ontario government is, in fact, going up and that's because of significant increments in spending in education and training and in health care.

Virtually every other spending area of the government is going down. One area that has gone down the most is community and social services. We see that the expenditure item here is child welfare: Volume pressure of \$106 million is being requested, pursuant to this supply motion. The government has made substantial investments in child care, and whatever cuts have taken place have been specifically designated so they wouldn't impact children and the disabled.

However, total spending by community and social services has gone down. If you go to the budget and look at community and social services, you will see that when we took over in 1995-96, the amount being spent by community and social services was \$8.8 billion—almost \$9 billion—and that the amount being spent has gradually gone down. The following year it was \$7.9 billion, in 1997 it was \$8 billion, this year it is \$7.7 billion and it will even go down a bit more.

The major reason for that is obviously the fact that more and more people are coming off welfare. Each and every year during those years, people were coming off welfare. When we took over, I believe 1.3 million people in Ontario were benefiting from welfare expenditures. As you recall, the amount being given to welfare recipients, except for the disabled, was cut by 22%. That in itself resulted in savings. But the real savings have resulted from the 1.3 million people on welfare having been cut dramatically and reduced by 462,000, which I believe is the latest figure. So you have a dramatic reduction in welfare, and that has obviously caused the community and social services expenditures to go down.

To give you an idea of the size, 461,000 is the population of Hamilton plus the towns of Ancaster, Dundas, Flamborough, Stoney Creek and Glanbrook put together. That is a significant number that have come off welfare. Where have they gone? Unfortunately there aren't great statistics on that, but many of those people must have gone into the job market. At the same time, welfare roles have been dramatically reduced to historically low levels, certainly the lowest for a long time, under 900,000 people now, which is still significant. You can see that we have a long way to go.

The population of Ontario is 11 million people. About 8% of those are still receiving welfare benefits, about 900,000 people. That's not acceptable when about 10% of your population is receiving welfare benefits. So there's still a lot to be done. We still have to continue to be aggressive in getting people off welfare, making sure that they have the dignity of a job. Where have all those people gone? Many of them must have gone to the job market. At the same time that the number of people who have gone off welfare has been in a steady decrease, and a substantial decrease, the number of jobs created has gone up dramatically, 615,000, I believe, since the June election. It's pretty simple math. The number of jobs has gone up dramatically. The number of people on welfare, at the same time, has gone down dramatically. It's obvious that the economy is flourishing and growing and so there are jobs available now for people who previously would have been welfare recipients.

Another item I'd like to point out—and I had about 10 minutes, and I've got about 30 seconds left—is that another very major misconception out there is that, as the province has introduced the 99 tax cuts, as the province has introduced a 30% income tax cut—that has already been done, and now we're into the next 20% income tax cut—we've had to borrow to pay for it, we've had to cut programs to pay for it. All of that does not bear up under scrutiny.

If you look at the budget—page 53 in the 1999 Ontario budget—you will see that the revenues, despite the tax cuts, have actually gone up. It was \$36 billion in 1995-96. The tax cuts started in 1996-97. In fact, the revenues continue to go up. They've gone from \$36 billion in 1995-96 to approximately \$42.5 billion this year, an increase of \$6 billion. How could that be? The tax rates have gone down, and 99 tax cuts having been implemented. How come we have more revenue? The answer is quite simple: More people are working. Even though they're paying less tax, the tax rates are less, more people are paying taxes.

There has been a great economic stimulus. As a result of that, the overall government revenue has gone up. In fact, that was predicted by numerous economists, that, basically, when you get up to a certain tax rate, you can increase those tax rates but you'll get less revenue because there's no incentive to work, there's no incentive to invest. So by cutting tax rates, we've brought those incentives back.

One of the best places to look is the movie industry. It was basically in a crisis in 1995-96. Part of the 1999 taxes are targeted right into that movie industry. What happened was that with some of the lowest taxes in North America, that movie industry has thrived to the point now where Toronto is the third most prosperous centre, after New York and Hollywood, dealing with that industry.

**Mr James J. Bradley (St Catharines):** That's because of the low dollar.

**Mr Skarica:** They say it's because of the low dollar. Well, fine. Vancouver has the low dollar, Winnipeg has the low dollar, Quebec has the low dollar. All of them have the low dollar. Why is it happening in Toronto? The answer is simple: We have the lowest tax rates, in fact the most generous tax breaks, for the movie industry in the country.

I'm going to split my time with my colleague Mr Stewart. We've each agreed to do 10 minutes. I've stolen his time. He can take over.

**Mr R. Gary Stewart (Peterborough):** It's a pleasure to stand and debate this concurrence in supply bill. It's interesting to note the number of expenditures that are suggested by my colleague, to the tune of \$566 million. These are additional pressures that we're finding on a daily basis in all four categories, and when there are pressures for financial increases, certainly our government responds, and responds very quickly, to them.

When I was asked to speak to this particular bill, a couple of my colleagues suggested to me, "Make sure

that you talk about money." Money has never been a real problem for me to talk about, because I believe in it very, very much. I believe in words like "profit," "savings," "revenues," "revenue increases," all of those words that in the past of previous governments seemed to have been bad and dirty words. I don't believe in inefficiency, I don't believe in debt and I don't believe in deficits.

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If you look at what has happened since our government took over in 1995, the commitment to get those deficits down, to make sure that we have good, sound management and core management proposals within every sector of the ministries, certainly that has happened. We are on the way, as we have said, to balancing the budget and will do so next year, as we promised—another promise made is another promise kept.

By doing all of this, certainly we have increased the revenues, one of the reasons being the tax cuts. When people have more money in their pockets, they will spend more money, which generates additional revenue and jobs. It's such a tremendous ripple effect across the entire country, and it causes the economic increases we want.

Certainly, when you look at things like the balanced budget bill and the more tax cuts for jobs and growth and prosperity bill, it is an indication that we're on the right track and will continue to do that. Then, of course, you look at other sectors—and we heard it from my colleague, where health care funding is being increased. Yes, we've got a long way to go on that yet, and we will continue to work towards that end.

Classroom funding has also been increased. When I look at the dollars for the general millennium awards for training in colleges and universities as well as employment insurance training agreements etc, to the tune of about \$150 million, I think to myself that we better make sure that happens and we better make sure that we continue to increase spending in education. I'll tell you why, because I'm getting very concerned, and I'm probably even more concerned over the last couple of weeks.

Certainly, the book, *My Ontario, the Millennium Memento*, which seems to have been around this House for the last couple of weeks—needless to say, some have had demonstrations. This is my millennium book. I'm very proud of it, and I have many signatures in it and will get more, because I think 40 or 50 years from now it's going to be quite a keepsake.

When I look at what the province has spent in millennium celebrations in Ontario, to the tune of about \$2 per capita, in comparison to what has happened in other provinces—Manitoba, \$9 per capita; BC, \$8 per capita; and Canada itself, \$5 per capita—I think Ontario has been very cost effective and very frugal in what they've been doing but yet still being able to have the celebration and have the keepsake for it.

One of the reasons I said I was very concerned about the dollars in education—and we are putting more and more dollars into classroom spending—is some of the defaced books that I got back in my office. Needless to



say, in Peterborough we had the first demonstration. As you know, they threw books on my counter and broke it. I would like to say publicly that I paid for that, not the taxpayers nor the boards of education that these students I believe were representing.

The concern I have is more with some of the comments that were in these books. When I said that I think we have to continue to put more and more dollars into education, into the classrooms—let me read you one of the comments. These would be from grades 11 and 12.

"This is a good book. I think that you could have saved money by making it smaller and less blank pages." That's l-e-s-s-t. That happens to be one. That concerns me a great deal. Maybe we have to continue to concentrate on things like we did with the new curriculum to make sure that people know how to spell, know how to use the right English words—and I'm certainly no example. I know that, and I admit that.

This happens to be another one: "Why did you mack this book?" That's m-a-c-k. Grade 11 and 12 students. I get very concerned about this when I see what's happening. There are a couple of other ones here—I see ears present who may not want to hear some of these words, and I would never use these words in this House.

But these are the types of things that concern me, and when I see that we have new curriculums and new dollars going in and when I look at what we're trying to do in these estimates by increasing funding, again I would hope people support them.

As we go into the new millennium under the Mike Harris government, certainly the trend for efficiencies and that thriving, growing economy is very evident now and will continue to be so as we go into the future. More people are working because of the good management principles we are using in this province. Certainly the funding that has been put into areas—not thrown at particular problems, but the problems have been addressed and the money has been flowed to it as it has been proven that it has been required.

I certainly look forward to this concurrence in supply bill passing and would support it. Again, I look at a number of areas: community and social services and child welfare. Again, our government responds to areas where it is needed, but first of all we make sure that the facts, figures and information have been garnered, and then we have invested the dollars and will continue to do so.

I'm going to say thank you for the opportunity of speaking tonight. I believe, as always, that we are on the right track. We've got a long way to go, but as we go into the new millennium with a vision for the future, I think the dreams that we all have and certainly the dreams of these young people who have been quoted in this book will serve our future well, because again, this has been designed by the future, which is the young Ontarians of this great province.

**The Speaker:** Further debate?

**Mr Gerry Phillips (Scarborough-Agincourt):** I am pleased to continue the debate on, as we call it, concurrences

on the supplementary estimates. Fundamentally, we're dealing with three of them tonight: community and social services, education and municipal affairs and housing. I think those are timely.

The government recently released its Ontario Economic Outlook and Fiscal Review. Among the numbers in here, the most important one, for me at least, was a table that showed what is driving the Ontario economy. What it shows is that the driving force—and this is the government's document—behind the Ontario economy is exports. I think that's going to be a fundamental debate for us to have here in the Legislature: What is the impact of the growth of exports for us here in the Legislature?

Page 22 of the document points out that exports now represent 52% of our gross domestic product. In 1989, it was about 29%. As this points out, there is no other area in the world that relies as much as Ontario does on exports. There is no question that that is what has built the Ontario economy over the last 10 years. That's what the government says.

I found it interesting that, literally a day before this came out, the Minister of Economic Development and Trade, Mr Palladini, circulated to all of us a document that he said indicates why companies are investing in Ontario and growing in Ontario. It's called the Site Selection Special Feature document, and it says this—and it's important for us to recognize, because I happen to think these people are probably right:

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"There are two major reasons why companies that export are investing in Ontario. The first is, education attainment here is among the best in North America, and compared to major US cities that's a huge competitive advantage for the province. A first-class education in Ontario is highly affordable and accessible." That was the first thing that they said. "The second factor is the Canadian benefits system, which is a publicly funded system. Employers pay far less for such things as health care than they do in the United States. A typical company operating in Ontario might find its employee benefits bills slashed to one sixth of what it pays south of the border."

So I say to all of us that if this document is right, which says the reasons why you should invest and grow in Ontario—not the only reasons; the two most important—are because of the quality of our labour force, heavily because, to use their language, "first-class education in Ontario is highly affordable and accessible," and secondly, because of the publicly funded health care system, which provides a quality health care system at substantially lower cost for companies.

The reason I say it's important is because we are undermining both of those things, both of those two competitive advantages. I go to the famed Blueprint document. The Conservatives won on this document, and I understand that, but here's what they said about tuition fees. Remember, people want to locate here because we have a labour force that is highly skilled because our education system is affordable. Here's what the government said, and quite proudly:

"Traditionally, tuition provided about one-third the actual costs of providing university and college courses, but previous governments allowed that to drop to less than 20% by 1992." In other words, students were covering about 20% of the costs, and the public and other sources were providing 80%. Here's what the government said: "To restore the balance in funding for colleges and universities, we brought tuition fees back to the reasonable ... 35% level."

That's my first point. If we believe that our competitive edge has been that we have a labour force well-skilled, we're heading in the wrong direction. We are making it less accessible.

The second thing is—and there's no question about this—that in Ontario, about two thirds of the health-care funding has come from the province and about one-third has come from other sources. The government's share of that is dropping, at the rate of probably about 1% a year. In about five years, we'll be down to under 60% funded by the province and 40% funded by other sources. We are heading in the direction of the US, where our publicly funded system is changing to much more of a publicly-privately funded system.

The reason I raise this is that if we don't begin to have a debate about how we sustain our economic edge with exports, and we undermine those things that have built the export business, then we put ourselves at significant risk.

As I say, one of the things that's in the estimates today is student aid. It is designed to essentially help them borrow more money, go deeper in debt. But it is making our education system less affordable and less accessible.

The second thing I want to touch on was raised by one of the previous speakers, and that is that in the education system, we are moving to use what the government calls its SuperBuild fund to fund our infrastructure. The plan is that the government says we need to spend \$20 billion over the next five years on our infrastructure; \$10 billion of that will come from public funding and \$10 billion from private sector funding.

I just want to begin to raise some significant cautionary notes about that. First, the private sector is not going to provide funding out of the goodness of its heart, and for good reason. They're in the business of making a return on their investment. They will only invest in infrastructure if there is a significant return on their investment.

When we raise this issue and the SuperBuild fund, the government says, "Well, we've done this Highway 407 deal and we're very proud of it." I tell you, that is going to come back to haunt this government in a very significant way. I remind the people of Ontario what happened there. The government jacked the price up on that deal. How did they do it? They said, "We'll sell this thing, not for the 30 years that was promised here but for 99 years." It's almost in perpetuity, 99 years. "Second, we will guarantee the buyer that they can take the tolls up at inflation plus 2% every year for 15 years." That is a deal that private sectors die for. "Third, if anybody dares not to pay their tolls, we won't renew their licence."

There's one individual in Mississauga who, through some bizarre quirk, owed a penny. The computer doesn't distinguish between owing a penny and owing \$100. That person owed that 407 owner a penny and couldn't renew their licence and couldn't get an answer on the phone.

I remember, by the way, that one of the Conservative members said to the Minister of Energy that there are municipalities that are going to have a cash grab by selling off their electrical utilities—they used the word "stealing," by the way, stealing money from the electricity users—so they could have a pre-election slush fund.

The biggest cash grab in the history of the province of Ontario, in the history of Canada, was the sale of the 407. It sold for \$3.1 billion, \$500 million more than the Canadian National railroad and Air Canada sales combined. Those two things sold for \$2.6 billion; the 407 sold for \$3.1 billion. It's a deal of enormous proportions. Imagine that: \$500 million more than the national railroad and the national airline.

And guess when the deal closed. May 5, 1999, the day Harris called the election. The \$1.6 billion came into the election slush fund and the buses rolled that same day.

The reason I raise this is because now I have dozens of people who use the 407. If you drive from Markham to Mississauga and back every working day, five days a week, you're paying tolls now of almost \$3,600 a year, \$300 a month. Not only that, but the government has guaranteed the company they can double the tolls.

I mentioned earlier about exports being fundamental to us. The truck costs are three times that rate. A truck is paying about \$10,000 a year right now to drive from Markham to Mississauga and back again, and that's going to go up to \$21,000 a year.

The reason I raise this is because, first, I think the 407 is a terrific deal for the buyers. This is a deal made in heaven. All of us who live in this area know how crowded it is already. The Premier got \$1.6 billion in his pre-election slush fund, but the 407 users have been sold down the river. Yet every time we talk about the SuperBuild fund, the government says: "It's going to be just like the 407. We're very proud of the 407."

Well, I repeat, we're dealing with our education estimates tonight. A previous member mentioned about the building program going on in the colleges and universities. Half of our future infrastructure is supposed to come from the private sector. The government says we have to spend \$20 billion over the next five years, and I agree. I think we have to spend at least that. Half has to come from the private sector, but I guarantee you that the private sector is not going to provide any of this without one of three things. They'll say, "We'll build you another toll road if you guarantee the same kind of toll deal we can get on the 407," or, "We'll build you a sewage treatment plant if you guarantee a stream of revenue." They will do it that way and it's a tax by another name. You've just said, "We'll let you go and put a tax on those people." The second way they will build these things is to build them and lease them. That's just debt by another name.



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I'm personally very worried about school boards. School boards right now are out borrowing money to build schools. The province said, "We'll give you annually one twenty-fifth of the cost to build that." That's just a shell game. The debt is not going to be on the provincial books, it's going to be on the school boards' books and the school boards have no revenue-raising potential. The debt-rating agencies will blow the whistle on the government on that.

I'm anxiously awaiting the government to come forward with some proposals on the SuperBuild Growth Fund, because there is no free lunch from the private sector, for good reason. It will only invest in infrastructure if there's a return on their investment. To use the 407 as a good example I think is wrong; I think it was a bad example of private sector involvement.

One of the members mentioned how he likes to talk about money, and that's fine, and believes in balancing the books and not running deficits and things like that. My background is business as well and I understand that language. I just remind Conservative members that the last time a Conservative government balanced the budget in Ontario was 1969. There are some members in the House I think who weren't even born the last time a Conservative—Mr Maves may have just made it.

**Mr Bart Maves (Niagara Falls):** Nineteen sixty-four.

**Mr Phillips:** He was five years old when the Conservative government last balanced the budget. Mr Robarts was the Premier at the time.

I always say to my business friends, "Look at the facts." I know you think the Conservatives are the money managers, but it was in 1969 under John Robarts the last time a Conservative government balanced the budget. Even with Premier Harris the debt of the province has gone up almost 25%. Since he became Premier he's added \$22 billion of debt to the province.

**Mr Maves:** Hydro.

**Mr Phillips:** It isn't Hydro. If it were Hydro it would be \$31 billion. I've taken Hydro out of that. If you include Hydro, it's another \$9 billion. It's \$22 billion just from the Harris plan. It's a bit of a myth about the great money managers, frankly. Again I go back to the debt-rating agencies, who are the objective people on this, and they still give Harris the same debt rating they gave Bob Rae. A member said earlier that even though the government has cut taxes, the revenues have still gone up. Of course it's gone up. As the economy grows the revenue grows.

When Premier Harris took over, all the other provinces, except two, and the federal government were running significant deficits. They've now all balanced their books. The federal government went from a \$42-billion deficit at the time Harris became Premier and now will have had three consecutive surpluses before Harris has balanced the books.

**Mr David Young (Willowdale):** Talk about health care transfer payments.

**Mr Phillips:** There's someone at the back barracking about transfer payments. I remember so well Harris saying, when the federal government brought its budget out: "We support the cuts. We publicly endorse"—that's the language he used. He was clapping. In fact he said he didn't think the cuts went far enough.

I go back to saying to my business friends that the federal government balanced its books three years ahead of Premier Harris, and Quebec has balanced its books two years ahead of Premier Harris, with all the challenges Quebec faces. By the way, when Premier Harris took over, Quebec's deficit as a per cent of gross domestic product was higher than Ontario's but it now will beat Ontario by two years on balancing its books, dealing, I might add, with the same federal government and not having the advantage Ontario has of exports to the US.

Believe me, we all have to be cautious about taking credit for exports to the US. That is fundamentally because the auto sector has chosen to invest in Ontario. Ontario now produces more auto parts than Michigan does. Why is that? It goes back to the fact that they say, "We can get a skilled workforce here and we can get our health care at a dramatically lower cost than in the US." Both of those are things we are moving away from.

I go back to the point I made earlier. Quebec, without the advantage of the exports to the US, without exports representing, as they do here in Ontario, well over 52% of the economy, now is running a surplus while Ontario continues to pile up debt. So I appreciate the member from Peterborough having the good thoughts about fiscal management and saluting deficits and balancing the books, but I repeat that the last time any of the Conservatives were able to sit in this House and say, "We've balanced the books," was 1969 when Mr Maves was five years old. We can never allow that to go unnoticed.

I also want to talk a little bit about what the auditor had to say about community and social services. We are dealing today with their budget. He comments in two or three places on what the government has been doing in the social services area. By the way, I might add for the public that the Provincial Auditor is hired by the taxpayers to provide them with an independent view of the finances of the province. It's an extremely important function. It's the Provincial Auditor who reviews the books of the province and puts his or her stamp of approval on them or raises issues of concern. He's the watchdog.

The auditor brought out his report a few weeks ago and was asked about his overall comment on how well the money is managed. Someone said to the auditor: "You've seen them in action now for four years. From your perspective, do you think that under this government, for our tax dollars, the services provided by government are being provided more efficiently and more effectively?" This is the independent body being asked this.

The auditor: "Well, as my report points out, they really aren't. The improvements are not very noticeable

at this point and the accountability that has to be there for the spending of public funds is just not in place." So again I say to people who believe this is a government, as one of the previous members said, that is managing the dollars really well, the fact is that the Provincial Auditor says: "That's not the case. I've looked at them now for four years and they are not improving."

As a matter of fact, the government has done some outsourcing, outsourcing being taking services that were previously provided by Ontario public servants and privatizing them. In the analysis the auditor did, and this happened to be in the case where the government was moving to have the private sector maintain the roads, he said: "I don't think there are any savings here. As a matter of fact, I believe there are going to be higher costs involved in it. Furthermore, the government has privatized a third of the roads and is moving to privatize all of them, with no indication there are any savings there."

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The auditor raised significant concerns about this privatization, not because the auditor had a philosophy of whether that's good or bad, the auditor simply said: "If you are doing this to save money, you have not proven it. As a matter of fact, the evidence I've got says it's going to cost more money."

The auditor went on to say in the social services area—this happened to be the Family Responsibility Office. I mention this because the government, in one of its cost-saving moves, said to women on social assistance: "If you have an outstanding claim against your spouse at the family services office, we're going to cut you off. You're not going to get social assistance. We're going to cut you off, and you go and the money from your spouse who owes you the money."

Here's what the auditor said about people trying to get some service from the family services office: that at that time 128,000 of the active cases registered with the office were in arrears—75% of the cases were in arrears. The office had 170,000 registered cases, and 126,000 were in arrears. The arrears totalled \$1.2 billion, up from \$700 million five years earlier. The auditor pointed out that this situation was not only bad, it was bad and getting dramatically worse. What did the government do? They said to people on social assistance, "We're going to cut you off, and you go to the family support office and get your money," knowing full well that the Family Responsibility Office was in disarray.

The auditor went on in several other areas to point out the problems. This was again on community and social services, one of the supplementary ones we're debating. The auditor pointed out that he made several recommendations in 1995 designed to dramatically save money. Here's what he said: "In 1995, the ministry had agreed to take action to implement our recommendations to correct observed deficiencies, but did not follow through with its stated intentions. Therefore, we again make recommendations to overcome these deficiencies."

"The minister responded to our recommendations with a commitment to take corrective action."

I raise this because of the comments made earlier by the member who talked about good financial management. I repeat that the last time a Conservative government ever balanced a budget was 1969. They've had 20 times to try and do it and haven't done it.

The government says it is dedicated to managing the finances better. When asked, "Do you think there are any improvements?" our independent auditor made this comment: "As my report points out, there really aren't. Improvements are not very noticeable at this point," and went on to point out where in community and services he had made recommendations in 1995, when this government just came in, and they had not been followed up.

He went on to indicate some serious concerns in the area of health. The auditor points out that the government estimated that the hospital restructuring would cost about \$2 billion, and it's going to cost \$4 billion just for capital. But again I go back. The government says it's going to do it with the SuperBuild Growth Fund. The examples of it doing that are few and far between.

I wanted to make one other comment, if I might. The supplementary expenditure estimates and the expenditure estimates came into my office on December 14. One of those was the Legislative Assembly estimates. We are not allowed to debate that. When estimates were originally prepared and the three parties had to select which areas they will focus on, the Legislative Assembly estimates were not available, so we couldn't select them. They have now become available but, because we couldn't select them then, we can't debate that tonight.

The reason it becomes important, among others, is that we are going to be ordered, I gather, next week to appoint a new Environmental Commissioner. I should tell the people of Ontario that we in the Liberal caucus and the NDP caucus have some serious reservations, to put it mildly, about the candidate coming forward. I don't know the individual. I'm speaking more from the point of view that the person we appoint to the environmental commission should be seen to be independent. It will be that commissioner who will have the responsibility for Ontario of being the watchdog for our environment.

But I gather that the candidate coming forward is a former Conservative candidate in two different elections, has been the riding association president in the North Bay area for the Progressive Conservative Party. Frankly, the credibility of that individual as an independent watchdog on the environment surely is at risk. Surely we're not going to proceed to appoint as a watchdog someone who has that risk of a lack of independence. I think virtually of all the things we should be looking at in people, independence should be one of them. We cannot ask the minister about it because they say it's a Legislative Assembly responsibility. We can't even debate the budget for the Environmental Commissioner. We are, once again, gagged on an important matter.

I'm pleased to continue the debate on this motion and I look forward to the rest of the debate.



**The Speaker (Hon Gary Carr):** I think we're going to rotate. Further debate? We can go around again, if you like, or the member for St Catharines; it doesn't matter. The member for St Catharines, then.

**Mr Bradley:** I'll be looking forward to hearing from the Conservative and NDP members later in the debate, but I appreciate this opportunity because it allows some latitude to canvass many of the issues which are important, particularly under the votes which are before the House now.

There are a couple of items that I think should be of concern to members of the Legislature. I want to follow on with the member for Scarborough-Agincourt, who expressed his concern about certain officers of the assembly who are chosen to hold important offices. The obvious one is you as Speaker, Mr Speaker. We look forward to having independent-minded individuals who will make good judgments that are fair to all and who will uphold the rules of the House.

By the way, I want to compliment you on a rule that you made earlier. I don't want to compliment you on a ruling that you made on Monday, I think, of this week, but the ruling you made tonight is a very reasonable ruling. It just shows that a good Speaker is going to make some rulings that the opposition will like and some rulings that the government will like, but they're all independent rulings. I just wanted to compliment on what I would call a landmark ruling of profound importance to this Legislature, particularly when you're able to quote members of the government to sustain that particular opinion. Indeed, I think I'm going to borrow your researchers for the table to perhaps allows us to make some of those arguments.

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**Hon Mr Klees:** I don't know how he does it—so quick, in such a short period of time. That is amazing.

**Mr Bradley:** Yes, he is amazing indeed, but it gets to the point of officers of this assembly and the need for them to be neutral and to be seen to be independent. That is why when my colleague from Scarborough-Agincourt mentioned the position of Environmental Commissioner—Ombudsman would be another position that comes to mind, or Integrity Commissioner or a couple of other positions out there, the person in charge of freedom of information—these are the kinds of people you want to be totally independent, so whether you're sitting on the government side or the opposition side you'd have confidence that that person would be very vigilant. I understand that what goes on in committee is confidential. However, I have read in the popular press, as I do from time to time—when the government leaks things to the news media, I get to know it ahead of time. I did read a press release and was able to put a press release out myself after getting this information. It is noted that the individual whom the government members had favoured did not mention—and I think it's important to do so—that he had been the Conservative candidate provincially in Cochrane South in 1995, the Conservative candidate

federally in Nipissing and president of the federal Progressive Conservative association in Nipissing.

The reason I say that's important—I don't want to preclude a person from any position, ever, but when I look at the position of Environmental Commissioner, in my view the government fired the last Environmental Commissioner, Eva Ligeti, because she was too critical of the government. She brought down report after report. Instead of renewing her term, as you could have, the government chose to find someone new. As fine a fellow as Mr Gordon Miller might be, and he may well be a very fine individual, I can tell you that he would never be perceived to be totally independent.

As I mentioned to somebody else, when it comes to the environment—if you appoint a Tory to be trade commissioner somewhere, you'd say, "Maybe that Tory will do a good job at that—trade commissioner; that fits in." But when you say you're going to put a Tory in charge of the environment, a cold hand comes over my heart.

**Hon Mr Klees:** On a point of order, Speaker: I can't let this go on. The honourable member knows that the root word for "conservative" is "conservation." Surely he can't believe what he's saying, that Conservatives don't have credibility on the environment. I would ask that the member withdraw that. He's doing a great disservice to this House. I believe the public deserves to know the truth.

**The Speaker:** That's not a point of order.

**Mr Bradley:** You're quite right, Mr Speaker: It's not a point of order; it's a point of view, as Speakers always say. It's a point of view, and I simply do not agree. I'm just saying if you wanted to put him in charge of some investment board or something like that, that's probably reasonable; a Conservative might do a good job at that. But do not allow me to see—

*Interjection.*

**Mr Bradley:** Well, perhaps the Minister of Natural Resources might make a good environment minister some day; I don't know that. He may have that opportunity. I don't want to dwell on that, other than to say that I think it's important, when you have the Ombudsman, the Environmental Commissioner, the Integrity Commissioner and so on, that there's a consensus that the person who is selected is indeed totally independent and objective. I won't dwell on that because it's just a wee bit off the estimates which we are considering today.

I also want to say that I noted—I read some of these things—the Premier's speech to the Fraser Forum. The Fraser Forum is that extreme right-wing organization out West—I think British Columbia is where it's headquartered—which is idolized by the member for Brampton, the Minister of Environment and Minister of Municipal Affairs, who would live and die by the words of the Fraser Forum, no doubt. The Premier made his speech to the Fraser Forum the other day. I hope particularly those members who represent heavy manufacturing areas—automaking, for instance, pulp and paper, and other industrial and business areas—would note that the Premier was saying that what we have to do is move the dollar up

in value. Everybody who's objective knows that the reason our economy is booming is because of low interest rates and because of the low dollar. That's why we have these exports to the US; we're very much favoured. That's why we don't import as much from the US, because of that low dollar, so we choose those things which are purchased in Ontario.

The Premier was saying that the dollar should be allowed to go way up, in his speech to the Fraser Institute. I notice he didn't make that speech in Oshawa or St Catharines or Oakville or Burlington or other places—

**Hon Mr Clement:** Or Brampton.

**Mr Bradley:** —or in Brampton, indeed, where that would have a devastating effect. I remember talking to an official, a vice-president of a pulp and paper industry in northwestern Ontario. I asked the person, "How much difference does one cent on the dollar make?" "When the dollar goes up by one cent," he said, "it's \$17 million to our company." That's how important it was for that company to have a competitive dollar. The Premier, to the Fraser Institute, is advocating that that go up. I think that's dangerous.

As well, in 1996 the Premier attended, in Davos, Switzerland, something called the World Economic Forum. Since 1993, when its Global Leaders for Tomorrow program was first introduced, the forum has selected 100 young leaders who have demonstrated their commitment to taking a responsible role in society. The person who is responsible for this, Klaus Schwab, is the founder and president of the World Economic Forum. He had some interesting things to say in 1996 at the conference the Premier attended and I think it's something this government should take into account, because they seem to believe that people should be allowed to flounder out there, that the banks, for instance, should be able to make unprecedented profits and fire the bodies out into the streets. Some 17,000 of those people are going to be fired out the door while the banks are making huge profits. Service is deteriorating for people, and I would hope that our government would speak out against this. But here's what Klaus Schwab said, and I don't think he could be declared any socialist or any lefty, as you would say. He had the following to say, in late January 1996, in Davos, Switzerland:

"Companies have an obligation to their employees. While they cannot guarantee lifetime employment, companies should help ensure future employability. Every day someone works for a company, that person should have the opportunity to acquire new skills and capabilities. The winners in globalization have an obligation to assist the losers. Those who benefit the most should support social programs and income support for those who end up as losers."

Now, here's a person with a social conscience, because more and more what's happening out there, which is disconcerting not to the richest people in society or to the top bosses but to the average worker out there—it could be a white-collar worker or a blue-collar worker, someone in any kind of job—is this: Years ago, if a

company or a business laid people off and they were losing money, you wouldn't like it but you could understand it. If their products weren't selling or their service wasn't being used and they were losing money and they laid people off, you understood it. It was a sad day for those people, but you understood it. What we have happening today is huge corporations—and the banks always come to mind—making unprecedented profits and laying people off, firing them out the door, so they can get a blip in the stock market. In fact, the boss of the company, the top CEO, chief executive officer, gets a bonus when this happens, when there's a blip in the stock market, but meanwhile, all these people are losing their jobs. I think the banks have an obligation, when they're making these kinds of profits.

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What we see happening now is the banks willy-nilly closing branches and cutting back on the hours that people can access the bank and talk to a real person, a human being. It's not as though the people working in the bank are making huge salaries; they're not. They're often people who have very modest salaries. They're often friends of people in this assembly. We see them losing their jobs or having their hours cut back while the banks make unprecedented profits and, as I say, cut personal services to people in our province.

Trucks on the highway—I think that fits under Municipal Affairs, or at least nearly under Municipal Affairs. The former Minister of Transportation is here tonight. He probably was going to do something about this, but he got transferred. The problem is the huge volume of truck traffic on the highways and the intimidation of motorists.

*Interjection.*

**Mr Bradley:** I think the member makes a reasonable point. I want to tell you that one of the reasons for that is because we have a booming economy in Canada. Therefore we have more vehicles, more trucks, on the road. But we have also deregulated. That's not the fault of this government, by the way. Deregulation took place some years ago. This government would have agreed with it, by the way. I didn't agree with it at the time, but this government would have. Probably the member for Brampton, as a whiz kid, was on the sidelines demanding this at the time.

But the effect of deregulation—we see a different kind of person on the highway today. All of us remember the good truck drivers—and there are still a lot of them on the highway—people who stop to help people out, people who are very courteous and very safe in their driving habits. Today, with free trade and the international deregulation of the trucking industry, we see far more people, often independents, who have to hustle, who are working more hours in the day than they should, driving vehicles that are not safe and, indeed, going faster than they should.

I think the government should look at going back to what the Davis government did a number of years ago—it might even have been the Robarts government—and that was having a differentiated speed limit. I think it was



55 miles an hour for trucks and 65 miles an hour for cars, something of that nature. What we're seeing, because of the pressure on many of these people, mostly from the States, is that you get bad weather and they're charging along the highway, they don't slow down, they're causing havoc for automobile drivers and a lot of people are intimidated by this. The people who are most critical of this are good truck drivers and good truck owners themselves, who feel their reputation is being besmirched by some people who are engaging in tactics that they shouldn't. I hope the government will look at ways, explore ways, of overcoming that problem.

Driver testing is another one. There isn't anybody here who isn't getting telephone calls at their constituency offices about the absolute mess of people trying to get a test. The number of people failing—I'm just thinking of those of us, particularly people in the age bracket of the Minister of Natural Resources and me, who would be relatively in the same age bracket—

**Mr Ted Chudleigh (Halton):** Today is his birthday.

**Mr Bradley:** Oh, it's his birthday today, too. It's his 39th birthday today.

*Interjection.*

**Mr Bradley:** I won't get into other things; I'll leave it at the birthday.

I want to tell him that when he and I got our licences, it was a lot easier than it is today. What is happening now is that young people are frequently being failed on their drivers' tests. I don't know the reason for that. I'm not in the car; I can't pronounce on that. But I think we're all getting calls about how many people are not passing those tests. It costs them more money, under one of Mike Harris's new taxes, the 692 user fees that I have counted. These people are unable to get their licences, and there's not enough opportunity for them to book a driver's test. So it's very chaotic. One of the reasons is this government's mantra of wanting to cut back on every government service regardless of whether it's essential.

I should mention as well that I think somebody here who is really assiduous about Management Board rules and regulations should look up the one that says there cannot be a minister's name or the Premier's name on signs on the highway. I've seen one that says, "Your Ontario tax dollars at work. Mike Harris, Premier." That's like Georgia or Louisiana, where they have the Governor's name right on the sign. It had to cost a lot more money to put those signs up. The Minister of the Environment, who was a hawk when he was a whiz kid, would have been all over the opposition for doing that. But there's the Premier's name on the signs.

I also want to deal with gas prices, because I have presented a bill to this Legislature that I think the government could support. I wish they would bring it forward next week. Perhaps I'll ask the whip if he could use his influence to have the bill brought forward next week. All it is, is a bill that prevents predatory pricing; that is, it prevents the big oil companies, the oil giants, Mike Harris's friends, from selling to independent retailers at a different price from what they sell to their own retailers. It's called a predatory pricing law.

I think you could support that. I know the member for Niagara Falls would. He's a progressive person; he understands the importance of protecting independents and of providing some kind of competitiveness in the field. I know he would probably—I would give him the bill, let him put it in his name and put it through the House next week if he wants. I think it's a reasonable bill. I presented it to the House, and it passed first reading earlier in the session. If the government wishes to take it over and take credit for it, I'm all for that, because it's a good bill. It's not controversial. I can think of some bills that are more controversial, such as the one Bill Davis passed in the summer of 1975, which froze the price of gasoline and heating oil—a very courageous step on the part of the Premier. It had nothing to do with an election coming in the fall; I know some people tried to say that. It had nothing to do with that.

I'm not recommending that now, because I don't think the government would do it. Mike Colle is. He's got his bill asking you to do that, but I don't know if you'll do it. My bill is very supportable by all members of the House. I look forward to the chief government whip urging his colleagues to have it brought forward. We would pass it in a nod. Perhaps 15 minutes' debate is all that would be needed. I would be here to compliment the government on adopting this piece of legislation. You could use it in your constituency newsletter, if you put one out. Fifteen minutes—very reasonable.

Next, the health care system. I won't get into the thing we have. We've had trouble with the emergencies, we have trouble with hospitals and so on. I want to talk a little more on the theory and the principles of it. I am very worried by what I see happening.

**Hon Mr Klees:** Ophthalmologists in St Catharines.

**Mr Bradley:** Ophthalmologists in St Catharines. I'm glad you mentioned that, because I asked a question of the minister a number of weeks ago, and I have written a letter to her. What we have in St Catharines and Niagara—I'm glad the chief government whip listens, because he remembered this—is a situation where we don't have enough ophthalmologists. We have only 12 ophthalmologists, not all of them working full-time. By the government's criteria, we should have a minimum of 13 working full-time. So now these people are going to have to head down the road to Hamilton, down the busy Queen Elizabeth Way. We have in St Catharines and Niagara, on a per capita basis, the oldest population in all Canada. A lot of these people can't travel easily because they have visual problems. I'm imploring members of the government to help me out in persuading the Minister of Health that, indeed, she should remove the cap on the billing for ophthalmologists in Niagara until such time as we have no longer an underserved area.

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We also need more doctors in the Niagara Peninsula. My friend, the member for Niagara Falls, brought forward such an initiative in the House. It didn't pass but I want to commend him for raising the issue because we know, in the Niagara region, we don't have enough

family physicians. I encourage the government to follow the recommendations the Liberal Party made in this regard. I know you've adopted some of our policies and that's fine. I'm glad to see that. But we do need those kinds of initiatives to bring people to the Niagara Peninsula.

What I'm worried about is the two-tier system I see developing in Alberta, where you're going to have a system where, if you're wealthy enough, you buy your way to the front of the line where you get private health care. What is needed instead is an infusion of further dollars into the health care system.

I think most people will be prepared to say: "Look. Put aside your proposed new tax cut and put that money instead into health care." Doctors would support it, nurses, but particularly patients and families of patients. Some of our hospitals, because of the underfunding taking place, are in real trouble in terms of trying to deliver the services that we would require.

I want to also mention something in the field of community and social services; just two instances where I think the government has gone overboard. I can't think of anybody in this House who believes in welfare fraud and I would commend any efforts to wipe out genuine welfare fraud. However, I'll give you two examples of where I think the government has gone overboard and I hope somebody listens and changes it because I don't think anybody over there is a mean-spirited person who wants to do in people who are at the lower end of the scale.

In one case, a couple phoned and said, "We look after severely disabled adults." I think they're two young men in their 20s who are severally disabled and they require diapers. Not a very nice topic to talk about but there it is. The government has put in a new regulation that says instead of that being provided through community and social services or the Ministry of Health—I'm not sure which—that now they have to be paid for out of that person's so-called comfort allowance. These are people who are very disabled. If they're able-bodied, there's going to be much less sympathy. They're severely disabled. That should be changed.

The second is a person who is involved in, I think you call it the Step Up program, where you supplement a person's income. A woman phoned, she said she works at Wendy's now, at a fast-food outlet. She works, say, from 9 to 4, that kind of period of time. That way, she can be home when her children are there. Yes, the job doesn't pay a lot of money, it may not be a glamorous job for her, but she's making an effort out there. Now Ontario Work says: "Oh, you have to quit that job and get another job because that's not a good enough job. You've got to have a job where you're making more money." Here's a person making an effort, doing a job, getting some supplement from the government and trying to look after her children and the Ontario Work's rules are grinding her into the ground.

Two things I think you should look at. There are many, but there are two I think you should look at.

The millennium books. You know what that reminds me of? It reminds me of the phony bicentennial we had a number of years ago, where the Ontario government said it was a bicentennial—it wasn't—for Ontario. So we had all kinds of coins and flags and all kinds of things put out to do with the bicentennial. That's what this book reminds me of. It's got the Premier's picture, probably the Minister of Education or the Minister of Culture, Citizenship and Recreation—one of those other ministers; a glossy book put out.

I think why people are annoyed—there it is. The member for Bramalea has it.

*Interjection.*

**Mr Bradley:** And many other places.

I think the reason people are annoyed with it is they look at other places the money could be spent. I like the children who have participated in it, but I think it's not the kind of expenditure that has the support that the average person would like to give to it. It's \$3 million and it's blown up in your face because people have seen the cutbacks that you have made in education.

*Interjection.*

**The Deputy Speaker:** Member for Kitchener Centre, come to order.

**Mr Bradley:** I shouldn't respond to a member from Waterloo who's not in his own seat, Mr Speaker, so I will take your advice.

I have a couple of other things I'd like to bring to your attention. I know the Minister of Training, Colleges and Universities is listening at her apartment or at home to this very speech and I want to encourage her to provide the necessary—would you call SuperBuild the new name for your funding? SuperBuild fund I think is a phony name. It doesn't matter. It's capital funding out there. Even though the name is propaganda and phony, it's still money out there.

**Mr Wettlaufer:** On a point of order, Mr Speaker: The member for St Catharines has alluded to the fact that the minister isn't here. He suggested that she was back at home in her apartment watching on television. The member knows very well that she's out—

**The Deputy Speaker:** That is a point of order. I would like to hear the rest of what the member for St Catharines has to say.

**Mr Bradley:** The member should know that I was not making a disparaging remark. I'm saying that she's likely watching this because that's part of her job, to watch what goes on in the Legislature. She would be monitoring this, no doubt, while she's signing her books and reviewing a lot of her papers. I like Dianne Cunningham. She's been a long-time colleague and good friend of mine. I know, and that's why I said it, she's not a person out having a good time; she's sitting at home watching this, which is not a good time, I could say.

I am urging her to approve the two applications from Brock University and the two applications from Niagara College for funding under the SuperBuild program. I know the member for Niagara Falls agrees with me. He's lobbied for it. I want to give him his credit. All of us in



the peninsula have lobbied for that funding. I would be very supportive of it. I'm a fair-minded person. When the government does something that I think is good, I'm prepared to stand in this House and give credit, and the minister knows that. When the minister makes his decision not to allow a huge development on the Niagara Escarpment—he knows what I'm talking about—when he makes that announcement, I'll be prepared to give him the appropriate applause in this House, and I will write a press release saying the minister has made the right decision. So you can look forward to that.

The last thing I want to mention—unfortunately I have but little time left—is this obsession all governments have with gambling funds. We're down to the last 18 seconds, but I'm going to tell you that you are bringing in through the back door the Mike Harris gambling halls you kind of turned away from. Those are the slot machines going in anywhere and everywhere you can get them. I think it's wrong and I think a lot of members on the government benches agree with me.

**Mr Christopherson:** I'd like to begin—

**Mr John O'Toole (Durham):** If you want to share your time, I'll speak on your side.

**Mr Christopherson:** Thanks a lot, John. One of the government members has offered to share the time with me, which is really generous of you. I know it's only in the spirit of the season that you make that, but I'm going to have to take a pass on this occasion.

**Mr O'Toole:** Give me some of your message notes.

**Mr Christopherson:** I don't think you could say our message, John. You'd break out in hives, you'd start coughing, your knees would get weak, you'd buckle, you'd just fade, you'd be scratching all over. It wouldn't work.

**Mr Chudleigh:** In the spirit of the season, at least be nice.

**Mr Christopherson:** I'll be as nice as I can. How's that? I'm not sure how much that's saying, but I will try.

I want to pick up on a comment that the member for Peterborough initially raised in his comments on this and it was also touched on by the member for St Catharines, the previous speaker, and that was talking about the quickly becoming infamous Millennium Memento—is this meant to be helpful?

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** Yes.

**Mr Christopherson:** Are you going to feed me notes if I get stuck? Is that the idea? We're going to hold them up in stereo?

**Mr Gill:** Here's a book.

**Mr Christopherson:** You've got guts, I give you that, because if I'm stuck for something to say, guess what?

**Mr Bradley:** Is that the millennium book?

**Mr Christopherson:** Yes. He's a big fan.

**Mr Gill:** I brought my own.

**Mr Christopherson:** I've got some students who would love to autograph it for you too. In fact that's what I wanted to raise.

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Just today I had a fax sent to me on this matter and I can tell you that we've heard from other members over the last week or so who have expressed concerns on behalf of the students and parents from their communities. The books recently hit the Hamilton community and as a result Hamilton is no different in terms of the reaction by a lot of the students to what they see and their interpretation of this.

I would suggest to the government backbenchers, who maybe up till now have seen this as just another arrow of the day, a political arrow coming at them that they can deflect and not worry about, that in a similar vein to what we saw recently in Seattle with the WTO—I realize that members across the way on the Conservative side would see that event differently. My point in raising it is not to talk about the politics per se of what was happening in Seattle, but rather the fact that it was a spontaneous event and there wasn't the usual kind of organization that one sees behind and is a part of public demonstrations. By that I don't mean anything untoward or conspiratorial. I'm merely pointing out that usually, if you get a huge number of people, at the end of the day you will find that somebody has taken the time to organize it. In Seattle, apparently, it was really just information sharing through the Internet and then suddenly you had a lot of people spontaneously reacting.

### *Interjection.*

**Mr Christopherson:** I'm suggesting, notwithstanding the yabba-dabba-dooing coming from the member across the way, that what is happening here with this book is not something that the opposition parties are leading. I grant you, we're reflecting what's happening in our communities when we talk about this and when we do things out in front of the Legislature, but in terms of organizing it and sort of lighting the fire and causing it to happen, I'm sure that the official opposition, like us, would love to take credit but we can't.

The reality is that the kids—I should say “students”; not all of them are kids—students for sure are reacting in a very visceral way to what they see as waste. You've got to be ready for this because you set this agenda. You said that waste, inefficiency, finances and debt and deficit were the Holy Grails of your government. So you have to appreciate that for a lot of these students, who may be 17, 18, 19 or 20, for most of their young adult life they've only known your government. There ought to be a law against people only having those kinds of memories, but that's what happened to people who entered young adult life and then over the last four or five years only know one government. When they see a scam and a sham, they call it for what it is.

What do the students in Hamilton say? Certainly the students from Barton Secondary School felt strong enough to commit what they had to say in writing, sign a petition, forward it to my office and, in this, ask me to give voice to their concerns here in this place. I'm going to do just that. I want to read the covering letter from Sam Ramos who is the president of Barton's student government.

"Dear Mr David Christopherson:

"On behalf of the students at Barton Secondary School, our student government took it upon themselves to get feedback on the monstrosity that our Conservative government did. The monstrosity that I am referring to are the books that the Conservative government published. The book is called *My Ontario Millennium Memento*—Exhibit A—"Students here at Barton (aged 14 to 19) found this book to be useless. The petition that is included with this letter better defines the reasons why we think this book is an extreme waste of money."

If nothing else, I say to the Tory backbenchers, they're future voters. You might want to listen up.

"We're very certain that the Conservative government does not pay attention to what is happening in their province, although it is their job to do so. The students here at Barton are fed up with having to put up with this government, which clearly is not looking out for the concerns of the people of Ontario, but for their own self-image. We hope that through you our voices will be heard."

This evening, indeed, their concerns are being given voice.

Let me just say parenthetically that when the students say that the government is "not looking out for the concerns of the people of Ontario, but for their own self-image," I can only surmise that they mean the nice colour photo, right on the opposite side of the first page, of the Premier. It's a nice colour photo, beautifully laid out. You flip over one more page—wow, another colour picture of a Tory cabinet minister, in this case the Honourable Helen Johns. We have her picture in here. I have to believe that when these students say it's your own self-image that you're more concerned about, I suspect that's exactly what they mean in terms of why they think you published this.

Their petition—signed by a lot of students, let me tell you; there's pages of them—reads as follows:

"To whom it may concern—"

**Mr Chudleigh:** We have no petitions in this session. That's in the afternoon session.

**Mr Christopherson:** Oh, thanks, Ted. I appreciate that civics lesson. Thank you.

"To whom it may concern,

"Students at Barton Secondary School in Hamilton—"

*Interjection.*

**Mr Christopherson:** Sorry, John? Am I interrupting you, John? If I am, I do apologize.

**Mr O'Toole:** I was just reading Newman's book on titans.

**Mr Christopherson:** Titans? Are you hoping to be a titan, John?

**Mr O'Toole:** No, I'm hoping to be myself.

**Mr Christopherson:** Just yourself. OK.

**Mr George Smitherman (Toronto Centre-Rosedale):** He's excited by the meritocracy in it.

**Mr Christopherson:** Maybe that's why he's not sitting in his seat. He wants to get as close to what he considers to be titans as he's going to get. I feel for the

poor fellow if the best he could come up with for a titan is to get near the Harris cabinet seats.

However, back to the students at Barton Secondary School, who say:

"Students at Barton Secondary School in Hamilton received books that seemed worthwhile. However, after scanning through several pages, the students (aged 14 to 19) found this book to have a lot of content that has no relevance to high school students."

That's got to concern you, given the fact that that's who you geared it to.

*Interjection.*

**Mr Christopherson:** But I'm assuming that part of the audience that you're sending to would be high school students. I look at these students; I look at some of the things here.

*Interjection.*

**Mr Christopherson:** You like to split hairs, don't you, Bart?

"The majority of the content is elementary work. These books were called *My Ontario Millennium Memento*. In the past few years since the Conservative government has been in power, \$1.5 billion has been cut from the education budget, and it is anticipated that \$800 million more is going to be cut over the next four years (Globe and Mail), not only in education but in various other places. Money going into Ontario's education is decreasing while the problems are increasing. The main concerns that the students here at Barton have, (and probably many more in the province) is that taxpayers' money should be spent more wisely."

"Taxpayers' money should be spent more wisely." As an aside, if you listen to the government, they'll tell you that they're the only ones who know how to spend money wisely. Yet our young people, evaluating the job this government is doing with regard to spending money wisely, are saying that it shouldn't be spent this way.

What else do they say?

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"We the members on Students' Government took it upon ourselves to get feedback from the students here at Barton about the books which were distributed. Many of them felt that the money spent on these books is a misuse of government funding. Once again demonstrating our government's inability to take into account the needs of its people. It is stated by the government that, 'It should focus on Ontario's young people.' Publishing useless books and distributing them to high school students is not taking into consideration the needs of the students in Ontario. Money should be spent more wisely on class materials, such as properly printed books (eg, which the printing is non-erasable, resources for students with special needs)—I'm going to talk about that before I sit down—"desperate need for school renovations, more teachers so that classes will not be oversized, and many more necessities.

"As leaders on student government, we feel that the Conservative government is not a good role model. These books which were distributed are propaganda. The



Conservative government spends more money in order to gain a good image, rather than to take care of the people that count on them, the people of Ontario. Cutbacks in the education system are only one of the many cutbacks that the Conservative government is making.

"The undersigned students of Barton Secondary School are outraged, and will not remain silent about the ignorance shown by the Conservative government."

As I said earlier, it's signed by many of the students and I will just mention a few of the names: Brad Cook, Paul Spear, Ashley Strand, Kevin Andrews, Jamie Thomas, Charlie Best, Jeff Armstrong, Diana Nuredini, Suzanne Bell, Bryan Barrett, Chris Miller, Kelly Baptiste, Misty Eves—you've got to wonder if there's a relation—Susan Murray.

*Interjections.*

**Mr Christopherson:** Rather than heckle, I would say to the member across the way, at the very least maybe you ought to be thankful that we've got young people who care enough about what's going on around them, and to them, to take an initiative even if you don't like the initiative, rather than just heckle and condemn them like you would us. We're used to it. We're the opposition; we expect you to do that. I would think that the young people of Ontario expect a little more, even from a backbench Tory MPP, than just to be heckled as their names are attached to a letter that they've sent.

Julie Gwan, Penny Eves—another Eves there—Laurisa Bennie, Pav Dhillon, Raechel Nicholson, Stephen Grasley, it just goes on and on, and I think it's important that students are standing up and saying, "Look, \$2.5 million was wasted."

They didn't have to do it. You meant for these to be something that they were going to thank you for. They could have just taken them and said nothing. Instead, they looked around their classrooms, they listened to their parents talk about what they think is happening in the community. They have an understanding of what's happening in the health care system. They know what's happening to the family, the families of their friends and neighbours and schoolmates, and they've decided that when a government says nothing is more important than spending money wisely and efficiently, when they believe that's not happening they're going to bell the cat, and I applaud them for it. I think it's disappointing and borderline shameful that the opposition backbenchers can do nothing but heckle and deride these young people because they're taking a political stance that you don't happen to like.

But I can say from firsthand experience, as can every other member of the opposition, that that's the way this government deals with anybody who disagrees with them.

They will not accept for one moment that they could ever be responsible; it's always somebody else. It's always somebody else; it's never them. They are perfect.

The word "infallible" was thrown around here earlier, and you would start to believe that many of them think they are infallible, that because they think it and believe

it, it must be true. Anyone who dares to oppose them, number one, is public enemy number one; number two, is wrong; and number three, you're going to go after them.

That's why you did what you did to the school boards, because you didn't like the fact that the trustees, as they did in Hamilton and other communities, said, "No, we're not going to eliminate junior kindergarten just to meet your artificial budget bottom line that frees up the money in the Ontario budget so that you can give it to your rich friends." They said no and they put on the table a modest tax increase—yes, increase—to ensure that the money you took away was replenished to keep junior kindergarten going.

Why did they do that? I'm sure that government members on the opposite side of the House will say it's because they're tax-and-spenders. They love to tax people and they love to spend money and that's what it is, which of course is so insulting. These are trustees, these are politicians, who have to get elected just like the rest of us. It's always easier to get elected or re-elected on a platform of no tax increases, or of tax decreases. Yet, what were they prepared to do? They were prepared to put the needs of our youngest children first because there is overwhelming evidence, irrefutable evidence, that junior kindergarten is a plus for our children and that those who have the opportunity to attend JK are better off for it. Ray Mulholland, Judith Bishof and all the rest believed in it enough that they were prepared to put their political careers on the line and their reputations on the line.

What did you do in response to all the school boards that did that? It's there in the history books. You went after them. You rearranged the whole school board system. You cut back so that it's an honorarium; I think \$5,000 is the maximum that anybody can receive. You took away virtually 70%, 80% of the local autonomy that they once had. You took that power unto yourself and gave it to one person, the Minister of Education, unheard of in the history of Ontario.

I say to my colleague next to me, the Liberal House leader, had either of us done that, centralized and focused the power of all the school boards into the hands of the Minister of Education, we would still be peeling them off the ceiling. But because it was your idea, well, this came down from Mount Olympus and one can't question or challenge it for fear of facing the wrath of the Mike Harris government.

So I want to applaud the students at Barton Secondary School, first, for caring enough to do something and for recognizing that what you hear your government is doing and what you see it doing around you are two different things; and then second, for having the courage—because there are a lot of people out there who are literally afraid of this government. There are a lot of groups and organizations that over the last few years have become so frightened that they would rather accept a half or a third of a loaf than risk nothing, and so they say nothing. You've shown great courage in standing up for what you

believe in, and at the end of the day, it's going to matter that you spoke out and continue to speak out.

This issue has still got legs. There are an awful lot of students in an awful lot of schools who are not yet heard from. Every day this story is alive, there are more and more students, not being organized by, as you believe, OSSTF or by the official opposition or by the third party or any other entity out there, but rather just their own personal, spontaneous reaction at calling a fraud a fraud when they see it. And that's what this is—a fraud.

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I want to turn a bit to some of the things we've been following as the government's economic plan unfolds. I want to again bring to the attention, especially of the backbench Tories—mainly because, other than two, you all are backbenchers here tonight, and second, oftentimes backbenchers are the last ones to be told what's really going on. I want to state at the outset that the numbers—

**Mr Chudleigh:** We look forward to your enlightenment.

**Mr Christopherson:** I appreciate that type of reception for my message before you even hear it.

*Interjection.*

**Mr Christopherson:** I'm not sure what you said, but I'm not sure that I want to hear it.

I'm referring to your own books. These aren't our numbers, they're not made-up numbers from anywhere, they're not magical numbers, other than what the Honourable Ernie Eves is able to do. It's your publication. It's the 1999 Ontario Economic Outlook and Fiscal Review, and I'm going to go to page 55.

Before I read these numbers, I want to remind the government backbenchers that one of your mantras over the years has been, "Our tax cuts are generating more revenue now than before we implemented the tax cuts, so therefore not only are you wrong, opposition members, in what you say about our economic plan, but the numbers prove that you're wrong."

When we take a look at this and we look at what's happening with personal income tax—because the government said they'll give all these great tax benefits, these tax cuts to the very wealthy and what they will do with the money is invest it, because they have the discretionary income to do so. That will generate jobs and those people who then are employed by virtue of these new jobs being provided will increase the amount of money that the province will receive from personal income tax. The old trickle-down theory, supply-side economics.

Your own numbers tell a very different story. The actual, in terms of revenue received by the province in fiscal year 1998-99, was \$17.19 billion. According to your mantra and theory, when we look at the fiscal year 1999-2000, we ought to see an increase in personal income tax. If your theory works, it should show here in the numbers. Not my numbers, your numbers. It should show. The outlook in 1999-2000 is \$16.75 billion, \$1.1 billion less than you took in in 1998-99.

For anyone who happens to be watching, I wonder how many of them as individuals feel that out of this \$1.1 billion—and believe me, that's only a fraction, because the total money that's been handed back is about \$5 billion to \$6 billion. But let's deal with the real number in this one category. I wonder how many people watching believe that they got their fair share of this \$1.1 billion. I'll bet most people thinking about it will say: "I didn't get it. I don't know where the \$1 billion went, but not that much of that \$1 billion went to my family."

If they've been to the hospital lately, they have a sense of where some of this money is coming from to give these very wealthy Ontarians a tremendous tax gift, an ongoing gift that you're going to increase again by another 20%.

If they've got children and they go to the schools and look around at the condition of the schools and the lack of books and the overall deterioration of the education system, they will see where part of this money is coming from: the public education system.

If they've had any occasion to be involved in municipal services, which most people have—garbage collection, sidewalk repair, snowplowing, recreation centres, libraries—odds are they have seen a cutback in service, total elimination of service, and/or an increase in user fees or the implementation of new user fees that didn't used to be there.

If they care about the environment, then they know what has happened to the Ministry of the Environment and the ability of that ministry to enforce the laws that protect us. If they have really been paying attention and they happen to be people who really care about the environment, they will know that not only is the enforcement of the regulations that protect our public health diminished, if not eliminated, in many cases, but the actual regulations that used to be there have been watered down or eliminated.

Certainly anybody active in the labour movement knows what you've done to labour laws in this province and what you've done to injured workers.

The list goes on and on and on, and yet the document you're so proud of points out that there is \$1.1 billion in hard money that's going to somebody, and it isn't anybody they know. It's got to be your friends. In fact, we know that up until last year, the top 6% of income earners in the province of Ontario received 25%. So if, for example, that \$1.1 billion represented the value of the tax scam, the tax cut—and it doesn't, because the figure is actually \$5 billion to \$6 billion, as I said earlier, but let's go with this—that means that 6% of the population got 25% of that \$1.1 billion.

Now, as we see that tax cut take hold, because these things take a while to work through the system—I know that for a fact. I was in the Ministry of Finance for a couple of years prior to going into cabinet, so I know how the system works. It can take a number of years for tax changes to actually work their way through the system. We now know, and this number will continue to



grow, that this same 6% of the population are getting 36% of the pie.

The other 94%? Oh, they might get some. They might get a little bit. But by the time you factor in everything else that I've mentioned, the price that they are paying for the loss of public services that unless you are very wealthy you can't afford individually—that's why we pool our money. It's to make sure there are hospitals there. It's to take care of your needs or those of your family whenever and no matter what the circumstances, because none of us can afford to build or buy into a private hospital, so if we all kick in a few bucks, we make sure the services are there. They see the price they are paying at that end of it, and it's not nearly worth the amount of money they are getting even if they are one of the lucky ones, and the luckier ones are the ones who can even identify it on their paycheque. The fact of the matter is, most of the people in Ontario don't even notice they get a tax cut. That's how irrelevant it was to them. But, boy, they sure feel it when they go to the hospital or go to the schools or use the services that I have mentioned. And I haven't even touched on all the areas you've cut, not by a long shot.

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If you need further evidence of that, if you have any interest at all in what's happening in terms of the haves and the have-nots, even if you never make a reference to it, I urge you to take just a few minutes and at least leaf through a book called *The Growing Gap*. This is the 1998 edition. The 1999 updated edition will be out shortly. This is based on StatsCan figures, government figures, government calculations, figures and numbers that most of us don't question in terms of their source. We might from time to time, but by and large they are seen and deemed and in reality are arm's length from the political process, numbers that are crunched by people who are professionals, do not have a political axe to grind, belong to professional associations and so have standards to meet. That's where the raw numbers come from in terms of this book. What this book does, however, this analysis, is take these figures and put them into some context that makes sense, that helps us understand what's going on in our province.

I've referenced this before and I know that sometimes the government members don't like it. They'd best get used to it, because I'm not the only one who is going to continue to read out these numbers. My leader, Howard Hampton, who has just joined us here in the House, as well as all my colleagues in the NDP caucus, are going to continue to make references to what is said, to the story that's told, the picture that's painted by the people who publish *The Growing Gap*, because herein lies, if you will, the reverse image of what you say is happening in Ontario. So to do just what I threaten to do, I want to read a couple of parts of it.

For instance, the top 10 CEOs in Canada each brought home more than \$10 million last year.

**Mr Chudleigh:** Are they worth it?

**Mr Christopherson:** I understand there will be a number of government members who will think there's

nothing wrong with that at all or will find ways to rationalize why someone, one individual, might be worth \$10 million. Well, there are a lot of people who aspire to a decent standard of living and have a tough time meeting it in your Ontario.

The next point they make is that, on average—

*Interjection.*

**Mr Christopherson:** The member from—and I really have to learn everybody's new riding names. Ted?

**Mr Chudleigh:** The great county and region of Halton.

**Mr Christopherson:** Fine, the great region of Halton.

*Interjection:* Former apple grower.

**Mr Christopherson:** By the way, that's a great commercial. I love that commercial. I have a seven-year-old daughter who reminds me of it whenever I hear that, with the "Chudleigh, Chudleigh, Chudleigh." It's very cute.

Having said that, you mentioned that we're the best place in the world to live. Let me tell you what I think about that. Number one, I'm very proud as a Canadian to have that distinction, and I'm sure all of the honourable members are, but what's happening—

**Mr Howard Hampton (Kenora-Rainy River):** You guys are gradually wearing that capital down.

**Mr Christopherson:** My leader has said that you're gradually wearing that capital down, and that's the point. I want to say to you that we don't win that distinction because we have the weakest environmental laws in the world. We don't win that distinction because we have the lowest labour standards in the world. We don't have that distinction—

**Ms Marilyn Mushinski (Scarborough Centre):** No?

**Mr Christopherson:** Listen, I'm not making the statement that we have the lowest in the world; I'm saying that we win that because we have some of the best. We don't win it by doing what you're doing, which is lowering them and racing to the bottom. Yes, that is exactly what you're doing. The same thing with the minimum wage, the same as how we treat the most vulnerable in our society, how we provide health care services, how we provide educational services. It's those things that determine whether or not we win and maintain that distinction, not what you're doing. They don't have a chart that says, "OK, we're going to decide where the best place in the world is by deciding who is watering down their environmental laws the fastest," because that's what you're proud of doing. You call it cutting red tape, you call it removing blocks to investment, but the reality is you're watering down environmental protection. I can guarantee you, we don't get any points for that when the United Nations or anybody else takes a look at our standard of living.

When you start saying, "The minimum wage is too high; it's an impediment to investment while we watch the United States of America and other provinces surpass us," that's not going to help us win that distinction.

I'll tell you something that's absolutely not on that list: who gives the biggest tax cut to their most wealthy

citizens. You'll never find that as a category; in fact, quite the contrary. Many of the individual countries don't win because they don't have the types of systems that we have, and by that I mean an education system that helps to redistribute wealth. I know that just sends shivers down your spine, but the reality is that if you look at countries that say, "Nothing but the accumulation of wealth matters. Public hospitals don't matter and public education doesn't matter," they are never going to be chosen for the position that we now hold, and if you continue down the road you are, we won't either.

That's my response to the member from the great county of Halton when he says he is proud of the fact that we're the best place in the world to live. If you want to keep it, you've got to do a 180 in terms of the direction you're taking us.

The next line says that on average the top 100 CEOs saw a 56% increase in their compensation last year. For anyone watching—upper, middle, working; pick whatever category of class that you want to put individuals into in terms of their income—how many people know anybody who got a 56% increase in compensation? That's what's going on. That's why it's called The Growing Gap, the disparity. It's not that there's this idealistic world out there where everyone will receive exactly the same pay. That's not the point. That's not the simplistic point being made. The simplistic point that I am making is that the difference, the disparity, the gap between those who have and those who have not in our society is growing to a proportion we have never seen before in the history of Ontario.

We know the same thing—not only the same thing but an accelerated version—is happening south of us. There are horrible prices to pay, not the least of which, I say to the honourable member from the great county of Halton, is the fact that at some point, if we continue down this kind of road, we won't be seen as the best country in the world to live in. We won't. If there isn't some mechanism to ensure that the generation of wealth in this great province—and we have so much—if some of it does not go into the health system and into the education system and into a social services network and all of those things, then we're going to be so far down the list that it will take us decades to get back.

That's what's happening. I know you don't like it and I suppose you can disagree with it, but I haven't heard any one of you—Marilyn, you included—stand up and refute what's going on in terms of what they're saying. I haven't heard it happen.

**Ms Mushinski:** It's right here.

**Mr Christopherson:** Never mind holding up your election platform. My God. Boy, oh, boy. You're right, leader. Maybe that's why she's a former—I don't know.

*Interjections.*

**The Deputy Speaker:** Order. Member for Niagara Falls, come to order.

**Mr Christopherson:** My point was, if you think this is not the truth or not the reality, then at some point stand up and refute it. Don't just throw rhetoric at it or heckles;

stand up and take on the analysis, take on the stats. I haven't read where that's been done. Maybe it has, but I haven't seen it. If so, I ask the members of the government to send me a copy of it. If you've seen somewhere where there is as credible an analysis that tears this apart as there is in terms of the credible input that created it, I'd like to see it, I really would. But I haven't seen it and I suspect it's not there, because these are not stupid people; these are professionals, and they're going to use numbers and stats that can be verified.

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What is different about what Armine and the others at The Growing Gap, Trish and David—what they have done is take those numbers and just looked at them differently in terms of saying: "What do the numbers tell us? What's the picture here?" You've painted one picture with this, and that's fair ball, that's what you're entitled to do, but there's an alternative view, and they're one of the folks who are leading the argument based on many of the same kind of numbers that create your documents. What it really comes down to is, what version of these two analyses of what's going on in Ontario best reflects people's everyday reality?

I'm going to take about another five or six minutes of the time remaining and then leave the closing 10 minutes for my leader. But one thing I wanted to raise again is—by the way, this will make you happy; I'm going to take a shot at the Libs. Will this make you happy? I thought you'd like that. Only because you guys asked for it. It'll be brief, but I've got to get it on the record.

Your finance critic took the time to fire over volleys about how long it's taking them to balance the budget. They're legitimate volleys, but I've got to remind you, when you talk about balancing the budget in 1990, that \$25-million surplus disappeared faster than the cookies on that bureau in the back lobby. After we got in there and had a look at what was really going on, we went from \$25 million in the good, according to the Libs, to over \$3 billion in the hole, when we checked in all the cupboards and in all the categories. That's Liberal budget balancing.

*Interjection.*

**Mr Smitherman:** There's a point of order in there somewhere.

**Mr Christopherson:** No, just a history lesson. However, recognizing that the actual opponent is over this way, let me mention what the New Democrats in Manitoba found when they took power. As you know, the Conservative government of Gary Filmon—

**Mr Howard Hampton (Kenora-Rainy River):** They passed a balanced budget.

**Mr Christopherson:** They did, and that's exactly where I'm going. My leader jumps out ahead of me because he knows the story well; it makes a very poignant point. The Tories, under Gary Filmon in Manitoba, passed the much-heralded balanced budget legislation. You know, the stuff that was going to guarantee that the taxpayers never again—you've heard this all put to music



many times over. Many of you have sung it for us, I say to my friends across the way.

Well, what's the reality? Once again, the reality of what happened in Manitoba is not unlike the experience in many of the states of the United States of America where they passed balanced budget legislation, and that is, all balanced budget legislation does, of the type that they've passed—by the way, what we passed in Ontario, in terms of the other provinces in Canada that have it, Manitoba was the one that we have paralleled the most.

We found, and there are studies to support it, that in the United States of America many of the states that passed this legislation found all kinds of rather unique and creative ways of just moving the shell around, but a shell game nonetheless. Just because it says so on paper, that there can't be a deficit, doesn't make it so. Circumstances, economic changes around the world, the needs of your population, they can all change; projections that don't work out the way you say. All kinds of reasons that quite frankly may have nothing to do with being a bad government or lousy managers. It's just the circumstances of the world that every government of every political stripe finds itself in once you're in power and have to deal with these things.

What's the Canadian example? The Tories, prior to the election, were predicting—and I love the irony of how close this dollar figure is to another dollar figure—a \$21.4-million surplus. Gary Filmon's Conservatives, in power for quite a few terms, had balanced-budget legislation and ran on an election platform that said their fiscal plan would give the people of Manitoba a \$21.4-million surplus.

We know they didn't win that election. In fact, it was the NDP who won that election, and they now have formed the government. I've said this before, but to their credit they hired an agency at arm's length from the government, arm's length from the NDP, arm's length from any of the political parties, and asked it to come in because they suspected there were going to be some surprises. All they had to do was look at the experience of Ontario and other provinces to realize that these things do happen a lot. They brought them in. The independent consulting firm, very respected, very professional, did an analysis of the books, and what did they find? Was there a \$21.4-million surplus? No. They found that there was going to be, in the fiscal year 1999-2000, a deficit of between \$262 million and \$417 million. They had a government of the same political stripe as we now have here in Ontario, and they already had the much-touted balanced budget legislation that's almost identical, word for word, with the version the Mike Harris Tories brought into Ontario.

The moral of the story? There's no guarantee by any stretch of the imagination that just because it's Tories in power they are good managers, which is the spin you like to put out there, and secondly, balanced budget legislation does not do what you said it would do. The reality and the history and the proof of what happens is, as usual, very much the opposite of what you said. What

you say and what's reality are light years apart, and the Manitoba experience is just further evidence of that fact.

With that, I would leave the rest of my time to my leader.

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**Mr Hampton:** I thank the member for Hamilton West for an enlightening discussion, a discussion that I know many members of the Conservative government don't want to hear. I want to continue on with some of the same exposition. I know the members of the government would like to take credit for the recovery of the Asian economies, they would like to take credit for the expansion of the economy in the United States, they would like to take credit for the recovery of Brazil. They would like people to believe that the answer to every issue is yet another phony tax cut. But the truth was told when the largest and most rapidly expanding industry in Ontario, the auto industry, confessed earlier this fall that some time in the next year, Ontario is going to outstrip Michigan in terms of producing more cars and trucks than any other jurisdiction in North America.

What did they cite when they said this? Did they even mention the much-boasted-about, the much-ballyhooed Harris government income tax cut? No, they didn't even mention it. They didn't even give it a comma. They didn't even put it in exclamation marks. What they said was the reason that Ontario's auto industry is expanding so rapidly, the reason that Ontario's economy is expanding, is because if you compare the value of the Canadian dollar with the value of the American dollar, it makes more sense for the auto industry to buy parts, to buy equipment and to assemble trucks and cars in Ontario. Because if you've got a car radiator manufactured in the United States and a car radiator manufactured in Ontario, just by the exchange rate the radiator in Ontario is going to be that much cheaper. They didn't even mention the phony Harris government income tax scheme.

They went on, after the difference between the Canadian dollar and the American dollar, to mention that medicare, something that you are taking apart day by day, week by week, saves them between \$1,200 and \$1,500 a vehicle, in comparison to the private delivery of health care in the United States. What are you people doing? In home care you're turning it over to private, for-profit American companies. In long-term care you're turning it over to private, for-profit American companies. What are you doing in public health? You're going to download it and then turn it over to private, for-profit American companies. What are you doing to ambulances? You're downloading it and turning it over to private, for-profit American companies. These are the very things that the auto industry identifies as efficiencies, as something that saves them money.

**Mr Joseph Spina (Brampton Centre):** On a point of order, Mr Speaker: I just wanted to remind the honourable leader of the third party that he has a microphone. There's no need to shout.

**The Speaker:** The member can continue.

**Mr Hampton:** I recognize they're really thick over there, and I'm doing my best to bore through the bone, hoping there's a brain down there somewhere.

The very thing that the auto industry cites as one of the biggest cost savings, as one of the biggest efficiencies, publicly funded, publicly administered medicare, you people are, day by day, tearing apart.

Then what do they cite? Do they cite in third place the much-ballyhooed, boasted-about Harris income tax cut? No. They cite the historical skill level and productivity of Ontario workers. What are you doing to invest in that? Well, we're now virtually the last in North America in terms of investment in university education, the last in North American in terms of investment in college education. You literally punched our system of apprenticeships into virtual holes, so that in all the trades where we need to have apprentices, where we need to have apprenticeship training so we've got the skills in the future—you're punching it through with holes.

As my colleague has said, the very things that have made us productive, the very things that have made us an efficient economy, day by day you are taking apart.

The health care system: We see in cancer care that now we're sending them to the United States because they can't get cancer care here. Home care: You're cutting that such that people who need home care have to pay for it privately. Does that sound like the inefficient American system? You bet. Emergency room care: Don't try to get into a hospital emergency room.

In terms of public health, again, the investments in public health are being lowered, decreased, cut, day by day in this province. In terms of an efficient system of long-term care, you're turning it all over to those private, for-profit American corporations. In terms of home care, again, you're turning it over to those private, for-profit American corporations.

In terms of education, virtually every day in this province now a university president or a college president comes forward and says, "We are not achieving the kind of investment in our education system that we need to maintain ourselves in a knowledge economy."

You people are literally running down the social capital, the health capital, the education capital and the infrastructure capital of this province in order to give people who are already well off a tax cut. At the end of the day, the people out there who are in fact expanding production in this province say your income tax cut is irrelevant, that that's not why they're investing, that's not why they're building.

The auto industry was so expressive about this. They didn't even mention your income tax scheme in a footnote, not even in a footnote, not even in a bracket somewhere. They didn't even refer to it. That tells you how phony it is. That tells you how irrelevant it is.

What is powering Ontario's economy is, first of all, the fact that the Americans are purchasing just about everything we produce, whether it's in the auto industry, other transportation equipment, in terms of the aeronautic industry, in terms of pulp, in terms of paper, in terms of

lumber, in terms of the computer industry. And why are they purchasing? Because of the difference in value between the Canadian dollar and the American dollar. And when they do move production into Ontario, what do they cite, after the difference between the Canadian dollar and the American dollar? The publicly funded, publicly administered health care system that you people are tearing apart even though you don't want to admit it—even though you don't want to admit it.

Every time I get into a debate with one of your advocates at the local level, they say, "We really should privatize the health care system." Every time I hear Mr Clement—after he's out of this place, he talks about the benefits of a profit-motivated, private, corporate health care system. The very thing that the auto industry cites when they make investments in this country you people want to tear apart, are tearing apart, on a daily basis.

We enjoy this opportunity to engage in the wide-ranging debate. The fact of the matter is, the investments that need to be made—the investments in human capital, the investments in education, the investments in social capital—which will make us all more productive, you people aren't making. In fact, you're cutting. That's why municipalities can't find the money for transit. That's why they can't find the money for sewer and water. That's why they can't find the money for public health. That's why they can't find the money to deal with child poverty. That's why they can't find the money to help people do the things they need to do to become more productive. Shame on you for riding down the political capital—

**The Speaker:** Order; the member's time is up. Further debate?

**Mr Spina:** Speaker, I'll be sharing my time with a number of other members from our caucus; I don't think I have to list them.

In any case, I wonder if the leader of the third party is inhaling some of that glue from the Christmas envelopes that he's licking. You see, he talks about the American economy like it was the only one in the entire world. The reality is that we have record auto sales and truck sales right here in Ontario and in fact in most provinces across this country. The reality is that Ontario's economic expansion—let's talk about Honda in Alliston and its supplier parts plant in Listowel and Toyota in Kitchener. Let me talk about something in my own backyard: the Chrysler expansion in Brampton. What happened there? Two thirds of the production of the LH platform cars was taking place at the Brampton plant and the balance were being done in the States.

Chrysler had a choice. You know the process they go through, Mr Hampton. The factories also have to go through the competition process to see what and who gets the opportunity to do the production. What happened was that Chrysler decided to come to Ontario. They had an option, they had a choice. Where did they go? They came to Ontario. They came to Brampton. They hired 1,200 people in my riding because the economic environment was conducive to doing business. Why did Magna build a



bunch of factories to build auto parts? Because it's conducive. With the auto trade, you know darned well they could have built plants in Michigan, Ohio, Pennsylvania, New York, anywhere. Where did they build them? They built them in Ontario.

**2300**  
Let's go one step further. He cries about education. Well, let's look at what Magna's doing. Here we have a couple of excess buildings after the NDP moved the OPP headquarters to Orillia, so I've got a big hole in Brampton now, with 100 acres of the old OPP lands. What do we do with it? The interesting thing is that Magna has taken two of those classroom buildings and is using it for engineering training. Wow. I think this is fantastic. Why didn't they go to Michigan? Why didn't they go to Ohio? Why didn't they go to New York? Why didn't they go to Pennsylvania? Why didn't they go to Minnesota? Because they came to Ontario.

**Interjections: Why?**  
**Mr Spina:** Lower corporate costs in what way? Well, he talked about health care. That's right. Because of our publicly funded health care system—

**Mr Hampton:** Which you guys are tearing apart.  
**Mr Spina:**—which is still fully intact and in place. The reality is that it costs the company less money for health care and for benefits to have their employees in Ontario—a lower cost of production, therefore a more highly marketable product worldwide.

The man talks about tax cuts being worthless. The reality is, folks, whether it's tax cuts or the simple attitude of the government of the day—and do you know what it is? It's the attitude of the government of the day, which you're not going to find in some footnote of an economic report. It's the attitude that promotes a positive business environment. That's what the corporate sector looks for.

I'm just going to make a couple of quotes. Iris Murdoch in a novel called *The Sacred and Profane Love Machine*, said: "He led a double life. Did that make him a liar? He did not feel a liar, he was a man of two truths." Perhaps that's the Leader of the Opposition's role.

When he talked about politics, let's look at this: "A Liberal is a man too broad-minded to take his own side in a quarrel," quoted by Robert Frost. As usual, the Liberals offer a mixture of sound and original ideas. Unfortunately, none of the sound ideas is original and none of the original ideas is sound.

Spike Milligan, when he remarked about a pre-election poll, said, "One day the don't-knows will get in and then where will we be?" That happened in Ontario in 1990.

Last but not least, I just wanted to make this comment about socialism. It says, "There is nothing in socialism that a little age or a little money will not cure." That was quoted by Will Durant. Who was he? The founder of General Motors.

Lastly, Tom Stoppard said, "Socialists treat their servants with respect and then wonder why they vote Conservative."

This is why this government is in power and why they are sitting on that side of the House. We have created 700,000 jobs for our people in this province.

**The Speaker:** Further debate?  
**Mr Maves:** It's a pleasure to follow my colleague Mr Spina from Brampton Centre's very enjoyable speech. It's interesting that the leader of the third party was here tonight to speak. He has his third party; we did give them that status. I don't know what happened to him. He's actually been quite calm this whole session. He's very exercised tonight, even sending some personal slurs across the aisle, which has been unlike him in this session. I was saddened by the slur he threw at the member from Scarborough. After all, she beat his boss, Sid Ryan, by 10,000 votes in the last election, so there are a lot of people in Ontario who think quite a bit about this member.

The member opposite I think misses a lot of the point about tax cuts. This government has cut taxes 66 times and has another 33 on the way, and they're not all just income tax cuts. He doesn't like them. I don't think he sent them back to the province of Ontario, but he doesn't seem to like them, doesn't think they've had an impact. If he had been listening back when he was in office from 1990 to 1995 and devastated the economy, he would have listened to the people down in the Niagara region, where we did a survey. Back in 1993-94 they did a report and asked businesses, "What are the biggest problems facing you?" Businesses were closing when the NDP were in office, either going bankrupt altogether or moving to Buffalo. What did they say the biggest problems were? High taxes, WCB rates out of control, hydro rates out of control, employer health taxes out of control, and it went on and on and on. All kinds of different taxes—corporate taxes, you name it, they were out of control. The top three things cited in the Niagara region were high hydro rates, workers' compensation rates and taxes in general.

The member's former leader, Premier Bob Rae, was named businessman of the year in Buffalo in 1993. Why? Because he raised all these taxes, made our economy a terrible place to invest, and they all moved to Buffalo. They didn't learn then and the people of Ontario said, "Look, you guys, you don't get it," and they elected this government because this government promised things in our 1995 platform. We were listening to the public of Ontario.

What did we say? What is our philosophy? The member from Hamilton actually hit it on the head. We say if we cut taxes and get rid of red tape, we're going to create economic growth by putting more money in people's pockets. They'll spend the money. It'll increase jobs, which will increase tax revenues, which will reduce our deficit and which will eventually allow for higher expenditures in things like health and education. In fact, all along we've been increasing expenditures, especially in health care, where we've gone from \$17.4 billion to \$20.6 billion.

That's the theory. Has it worked? You'd better believe it's worked. Consumer consumption traditionally makes

up 60% of any economy. The NDP and Liberals increased taxes 65 times in the 10 years they were in office. They continue to increase taxes. I remember working at General Motors as a summer student. Every time those poor guys got a paycheck, they'd stand there and weep, in tears almost, about the amount of taxes coming off their paycheques. They weren't running out buying cars; they weren't running out buying new houses. They weren't running out buying anything else, for that matter. These guys made it impossible for the middle class to live. They made it impossible for the middle class to spend money.

When we started to cut taxes, when they started to get the impact of cutting taxes, what happened? Consumer spending is going through the roof in this province. Year after year after year, retail sales are hitting record heights. That's the absolute truth. Statistics Canada will show you all those statistics. Retail sales in department stores—they're looking at their best Christmas ever this year.

New homes sales, new home construction—through the roof. What was the helpful tax cut there? We reduced the land transfer tax. Sure enough, has it had an impact? It certainly has, along with all the other tax reductions we've done.

This was the theory. We brought it into practice, and has it worked? As I said, yes, it has.

I want to just read an article while I'm on this point. It's called *The Little History Lesson*. It's a Sun article. It says, "Well, well, well, what have we here? Why, it's Liberal Leader Lyn McLeod's reaction to the 1993 Ontario budget expressing her outrage that the NDP government had just raised taxes by \$2 billion. McLeod was incensed." This is of course the former Liberal leader. "She described it as the largest tax grab in Ontario history. She said it would destroy 50,000 jobs. She called it a disaster for working people, offering no hope and no prospects for the future. 'Far from stimulating the economy,' she said, 'this budget strangles it.'"

That was the leader of the Liberals in 1993 about a huge—one of the many—tax increase by the NDP.

2310

If you go back a little further, it's really interesting. The article goes on: "But wait, what's this we see even further back in our files? Why, it's then NDP leader Bob Rae reacting to the 1989 Liberal budget that grabbed an extra \$1.3 billion from taxpayers' hides. Rae described that as a death by a thousand cuts for ordinary Ontarians, adding he opposed the Liberal hike to provincial income tax."

They didn't like them back in 1989. They didn't like them in 1993. We didn't like them either. So in 1995 we said, "We're rolling them back." That's what we are doing. It's what you asked for in 1989. You said to the Liberals, "Don't do it." The Liberals said to the NDP, "Don't do it." We got in office and we rolled them back and now you're saying: "No, don't roll them back. I guess we did like them back then." A little consistency fellows, please, somewhere along the line.

Small businesses create 80% of all jobs in Ontario. The CFIB represents them. What did they say in some of their surveys? Out of the top six things, as they continue to ask, "What are the problems you face in expanding and creating more jobs in Ontario?" they are, "Total tax burden," "employment insurance," "government regulation and paper burden," "cost of local government" and "workers compensation."

Another, similar survey done of businesses in Canada: "What are the four most important things that we need to do to continue to expand our economy?" "Reduce payroll taxes," "reduce income taxes," "pay down federal debt to reduce tax pressure" and "ease burdensome regulations."

We've gone a long way to doing these things, but businesses are saying we still have a longer way to go. We know we're still one of the highest-taxed jurisdictions, the highest-taxed jurisdiction among the G7 nations.

I want to go back now to after we fixed the workers' compensation system, as we said, and reduced premiums by an average of 25%. We've reduced income taxes. We've reduced employer health tax. We've reduced all kinds of taxes: corporate taxes and so on and so forth. What did we say would happen? We said, "Number one, consumer spending." Has that happened? Yes, it has. I've recited some statistics.

We also said that the business community would come back. Remember those people I spoke of who moved to Buffalo and went to invest south of the border because they couldn't stand Bob Rae's and Howard Hampton's Ontario? We said that if we changed the investment climate, they would come back. Are they? Yes, in spades. They're setting up shop all over the place. They're setting up shop everywhere. Let me give you some of these examples of some business investments.

Business investment in this province was \$35 billion last year. Statistics Canada says that's going to grow by 8% this year. I guess it's just an accident, I don't know. Apparently the member opposite thinks it is. IBM, \$125-million software development lab in Markham; Lucent Technologies, \$50-million investment in a manufacturing facility; Owens Corning, \$40-million manufacturing facility in Guelph; Astra and Ekerd Pharmaceuticals, \$250-million manufacturing facility in Ontario; the member for Brampton has already mentioned the \$600-million plant of Toyota in Cambridge; in 1998, \$300-million Honda expansion in Alliston; GM research facility in Oshawa with hundreds of engineers. It goes on and on.

Let's talk about those tax cuts again. We put more money in the pockets of those guys at General Motors I used to work with. As the tax cuts kicked in, did consumer spending go up? Yes, we know from statistics it did. We also know from economic growth that it did.

In the first year of the tax cut, 1996, economic growth was 1.6%. In 1997, once those tax cuts started to kick in, 4.8%. The year after that, more tax cuts are kicking in, 4.2%; in 1999, 5%. If we're on the coattails of the American economy, why are we leading them in growth?



Because we've cut taxes and we've increased consumer spending. We've increased exports dramatically. Where have these jobs been created? We've created over 650,000 jobs since we took office. Where? The manufacturing sector: We lead every American state except one in manufacturing job creation.

You know, the members opposite actually get mad that we've created jobs, if you can believe that. They say: "Oh, they're McJobs. They don't count." First of all, we on this side of the aisle believe that any job's a good job. But I just showed you one graph we've got with over 100,000 manufacturing jobs between 1995 and 1998 in Ontario.

How about the information technology industry? In management and technical consulting, 15,000; engineering and design services, 25,000 new jobs; computers and electronics, 42,000 new jobs; computer software and systems, 57,000 new jobs. They're not McJobs, I hate to tell you. They're excellent jobs. In Ottawa they've got 5,000 high-tech jobs going wanting right now, good, high-paying, excellent jobs.

Did our exports go up? Is the auto sector booming? It sure is. Yes, we cut Ontario income taxes. We also cut all kinds of other taxes you fail to mention.

Hydro rates: When the NDP was in office they went up 6%, 11% and 11% again. We froze them. It matters to business. That's why they're coming back. The employer health tax: You've got savings for them there. That's why they're coming back.

Ontario auto exports to the US are up 10.4%, annual change, excellent growth. But is that it? No. Non-auto exports are up 9% also, so exports in every sector are up.

**Mr Hampton:** On a point of order, Mr Speaker: Hydro rates were frozen in 1993.

**The Speaker:** That's not a point of order. Continue.

**Mr Maves:** That's not a point of order. It's too little, too late. The average Ontario unemployment rate, what was it under the other two governments? It was over 9%. What is it today? It's 5.6%. I guess we're not doing anything right.

Ontario housing starts, consumer spending, the folks at home can see that graph: There were 35,000 in 1995. It went up every single year. In 1999 it was 66,000. That's that consumer spending. Machinery and equipment investment, up dramatically.

I want to go on and on with that document, but the member Mr Chudleigh is going to scalp me if I don't leave him some time. Has everybody caught the fever? Has the rest of Canada caught the fever of the Mike Harris revolution? You'd better believe it.

Ottawa: There's an upcoming budget and everyone is expecting Paul Martin to cut some taxes. "Ottawa should cut personal income taxes by \$3.5 billion and restore fairness to the tax system in the next federal budget, says the Canadian Institute of Chartered Accountants. The move would shave \$600 off an average family's tax bill." That is \$600 a year.

The International Monetary Fund has come out. Do they believe we should reduce taxes? Yes. "The IMF has

urged the Liberal government to concentrate its looming surplus on debt reduction and tax cuts. It urged the government to restore full inflation protection to the tax system, increase the income threshold at which the middle and top rates kick in, cut the 26% middle rate and reduce the clawback on national child benefits."

The National Post did a survey of economists and asked them: "What should the government do? Should they reduce the debt? Should they cut taxes? Should they increase spending?" Every single one of them said, "Cut taxes first." Why? Because it will lead to more economic growth. The stronger economy and the more jobs, revenues go up and you can reduce your debt more quickly. Nobody home over there. They don't want to hear it.

Let me give you a couple of more quotes. Here's a quote: "A national consensus that tax cuts are essential is emerging. The vast majority want tax cuts." Who said that? Federal Liberal MP and finance committee chair Maurizio Bevilacqua. The federal Liberals are getting it, finally.

2320

In 1997, John Manley saw what was happening in Ontario. What did he say? This is the federal Liberal industry minister. He said that taxpayers "have more money in their pockets and therefore they have more money to spend. Tax cuts increase domestic consumption." John Manley in 1997 was one of the first Liberals to realize that what we were talking about was working. Now what's happening in Ottawa? I think in February we are going to hear of some major tax cuts.

The president of the Canadian Chamber of Commerce, Nancy Hughes Anthony, says, "Tax reductions need to be the number one priority and can no longer take a back seat to program spending."

Mike Harris caught on before anybody else. He actually listened to what people were telling him. He knew what the people in the GM plant were saying every time they opened up their cheques and saw how much income tax was coming off. He knew they weren't spending their money. He knew they weren't generating jobs because of not spending their money in the Ontario economy. He knew that Bob Rae was the businessman of the year in Buffalo because he increased taxes so much, all kinds of taxes, that they left.

I want to end my comments with one thing. I have a lot more I'd love to say, but I want to end with one thing. I just happened to find a comment from The Wizard of Id. It has the people below—of course, everyone is familiar with the comic. "Tax break, tax break, tax break," says the king. "That's all I hear from you people. Without tax monies, what will happen to the poor?" And the poor look up and they say, "We'll all be rich."

Speaker, we get it; we heard them. That's why we're reducing taxes. That's why this economy has 650,000 more jobs than it had in 1995, and that's why there are 450,000 people off social assistance and back in the workforce in this province. For the next four years we are going to continue that growth and we are going to

reinvest those increased revenues into health care and into education, the systems that Ontarians hold dear.

**Mr Chudleigh:** It's a pleasure to rise, and it's also very reassuring to know that the people in the kingdom of Id understand economic policy as well.

Tonight we're speaking on concurrences on three ministries, including community and social services. It's interesting to note that when we were first elected in 1995, we inherited a welfare system in this province, which is administered by the Minister of Community and Social Services, in which welfare had increased from 1981, which was a Conservative government at the time, in a recession. The numbers of people on welfare had increased from that point every year until 1995, right through the 1980s, which were pretty good years, probably some of the highest nominal growth rates in Ontario's history, and yet welfare rates went up.

We turned that around. We created jobs, and those numbers started to decline in 1995, 1996 and 1997. They are still declining today; as the member for Niagara Falls pointed out, 462,000 people off welfare and into the job market, winning some of those over-600,000 new jobs. I think this government will be remembered for that.

Another concurrence that we are debating today is education and training. When we were elected in 1995, we inherited a system that had seen costs increase 120% in the educational system. We had seen student numbers increase by only 16%. Inflation over that same period of time was about 41%.

We restructured that system. When we came to power in 1995, 37% of the students who started grade 9 did not graduate from high school. Some 20% of those who did graduate couldn't read and write at a high school level by the time they graduated. If that's not a crisis in education, I don't know what is.

We changed that system. We reinvested in education. We restructured it through municipal restructuring so that the cost spiral was stopped, and yet we are putting more money into education. We will be remembered for that.

Tonight we're also debating the concurrence of supply for Municipal Affairs and Housing. When we came to power there was a tremendous number of municipalities, 815, in this province. Through our restructuring and through our principles of having fewer politicians, lower taxes and better services, we are going to have a better municipal structure, a better municipal affairs and housing situation in Ontario. I think we will be remembered for that in the future.

I think our finest hour, and the thing that our government may be remembered for in the future, and perhaps in the distant future, will be the introduction of Ontario's Living Legacy. In Ontario's Living Legacy, we have introduced a system of parks and conservation areas that will be second to none in Canada. In 1893, the province started their park system with the introduction of Algonquin Park. In 1992, almost 100 years later, all 10 provinces met in Victoria, BC, with the World Wildlife Fund—it was under an NDP government at the time—and we decided at that meeting, it was agreed by all 10

provinces and the World Wildlife Fund, that by the year 2000 we would complete the parks system in Ontario. Ontario did that on March 29, 1999. We divided this province into 14 separate districts, on gridlines that run from east to west based on rainfall amounts, and gridlines that run north to south based on temperature variations. Within each one of those 14 districts, the natural heritage and the finest examples of that natural heritage are preserved in parks and conservation areas. That completes Ontario's parks system. We're the only province to do that, we're the only province to do it on time, and I believe that it may be our finest hour, in preserving those examples of our natural heritage, not for our children and not for our grandchildren but for Ontarians for all time in the future. It's a legacy that this government will leave for Ontario for all time.

The extent of that living legacy, in putting those parks together: We created 378 new parks and protected areas. That will bring into Ontario 9.5 million hectares of protected land. To put that in perspective, that's a piece of land about the size of New Brunswick. To put it another way, if you drive along the 401, if you drive throughout Ontario and look at all the agricultural land that you see in southern Ontario, in northern Ontario, in northwestern Ontario—all the agricultural land you see—and then you double that acreage to 9.5 million hectares—that's the amount of land that is now protected in Ontario for the future. It's truly a momentous occasion and it's something that is being overlooked. It will make for a tremendous number of additions.

Within that group of parks there will also be a number of signature sites. These signature sites are areas that have a particularly special interest. Perhaps the most important or the most interesting signature site is the piece of land that runs from the southern tip of Georgian Bay—Port Severn—all the way up the coast of Georgian Bay, all across the north coast of Lake Huron into Lake Superior, and all along the coast of Lake Superior to Thunder Bay and then down to the American border. That's 2,900 kilometres, much farther than a drive to Florida, and it will be one continuous coastline that will be under protection for Ontario today, for our children and our grandchildren in the future. It will be one of the great coastlines of the world. There will be few other coastlines that are protective of that nature in the world. This, I believe, will be the finest example of a protected coastline. I believe that will be one of the great things this government will be remembered for in the future.

We're running short, and I know there are a lot of people who want to have a word on this. I'd like to pass the remaining time over to my compatriot the member for Thornhill.

2330

**Mrs Tina R. Molinari (Thornhill):** It's a pleasure to speak in the debate on concurrence in supply. What we need to remember is that this is about responsibility and accountability. I want to talk about some of the ways our government has demonstrated that in the last number of years.



Certainly everyone is aware of the growth of the economy, the jobs that have been created and that small businesses create 80% of the jobs. Thornhill, which is my community, is just north of Steeles and covers two municipalities, Vaughan and Markham. The small businesses in my community have flourished from the tax cuts. The job creation there has been in Thornhill has been more so than ever before.

I want to talk about one company that started off very small, a plumbing company that now has expanded and grown and is actually building. In the last few years they have noticed, because of the jobs that have been created and the tax cuts, that they have been able to increase their business much more so than in the past. Of course, because of mortgage rates that have been reasonable, more families are able to afford homes, and this allows them to continue to build more homes, employ people and create jobs.

I want to talk about a number of things that the member for Scarborough-Agincourt spoke on earlier. He talked about the education system and where it is today. One point he made is that school boards are now borrowing money to build schools. I think it's important for members of the assembly to recognize that the building of schools is much better situated now than it ever was, because now all school boards have the autonomy of where they are going to build schools. In the past they developed a priority list and submitted it to the government of the day. At that point, they would decide which one these projects would be allocated to the school boards. This is not the way to fund schools in a community. Those who are directly involved in the community—the trustees, the constituents—are the ones who know best where the schools are needed. Now it's a fairer system, where money is allocated per pupil in every school board, and this allows the school boards to build in the locations they see fit.

I'm also excited about SuperBuild, which will allow the Ministry of Training, Colleges and Universities to work with the colleges, universities and training centres to provide space for the students who are going to be needing post-secondary spaces within the next few years. I'm very excited about the work that's being done with the minister, and all the partners and stakeholders, in developing ways of accommodating all the students. We are committed to every student who is qualified and wants a post-secondary education, that it will be made available for them. I'm very excited about what we're doing in that respect.

Mr Speaker, I know that others want to speak, so I thank you for the time and I thank the members for sharing their time with me.

**Mr Young:** I appreciate having these few moments to address this august chamber. I really wanted an opportunity to speak to the fact that the leader of the third party spent a great deal of time addressing what was not in a particular report dealing with job growth, dealing with the prosperity and dealing with the recovery of this province. I think it's particularly enlightening to consider

how, albeit a very well-meaning politician on the other side of this chamber, addresses this issue. The member talks very much about what is not in the report. He looks at the footnotes and keeps coming back to the fact that within the footnotes he cannot find reference to tax cuts. That's the difference between members on the other side and the members on this side.

We are here to talk about the job growth and prosperity. We are here to encourage and to continue to stimulate this province. We are here to reinforce and enhance what has been a four-and-one-half year project to raise this province from where it was when the NDP left office four and one half short years ago, from being the 10th, the last, province in terms of economic growth to being the first. Rather than become bogged down in what is not in the footnotes of a particular report, which was the subject matter that seemed to be the obsession of the honourable member, we are here to continue to stimulate the economy.

He also talked at great length, much along the Chicken Little line, about the fact that our education system and our health care system are crumbling around us. I want to share with you the following quote: "We are saddled with an Education Act which is ambiguous and contradictory, that is underfunded and underpublicized, that rips apart a system of government that has worked well for 25 years, that changes borders, changes responsibilities, changes taxation and, worst of all, contains no mechanism for settled differences." This was a quote from the Reverend Robert Murray, who was the first superintendent of Ontario schools and who unfortunately passed away in 1853 in Port Albert in this province.

What it symbolizes very clearly is that since this province began, and even in the years preceding the beginning of this province, there have been those who have said there is a great deal wrong with the education system. Yet it continues to be, and will continue to be, one of the great strengths of this province in spite of the rhetoric we hear from the other side.

**The Speaker:** I thank the members. Pursuant to the agreement of the House earlier tonight, the votes on the orders for concurrence in supply for Community and Social Services, Education and Training, and Municipal Affairs and Housing are deemed to be deferred until Monday, December 20.

#### RED TAPE REDUCTION ACT, 1999

#### LOI DE 1999 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES

Mr Klees moved third reading of the following bill:

Bill 11, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting four new Acts /  
Projet de loi 11, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à

améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant quatre nouvelles lois.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Sorry, the time-allocated debate until tomorrow. I apologize. Chief government whip.

**Hon Frank Klees (Minister without Portfolio):** Speaker, I'm certainly happy to simply have a vote here, if that's what members agree to do.

*Interjections.*

**Hon Mr Klees:** I assume I don't have unanimous consent for that?

**Interjection:** We want to hear you speak.

**Hon Mr Klees:** Really?

Speaker, the member for Guelph-Wellington will be our leadoff speaker. I believe we have agreement that the time be divided equally among the three caucuses.

**The Speaker:** Agreed? Agreed. Debate?

**Mrs Brenda Elliott (Guelph-Wellington):** I am very pleased to join in the debate tonight on Bill 11, the Red Tape Reduction Act, and I'd like to read out the complete title of this bill, if I may: An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting four new Acts.

As someone who used to be in small business, I know full well the difficulties that too much red tape can lead to: wasted time, wasted energy and, indeed, wasted investment in our province.

I thought it might be interesting to indicate to my colleagues where the term "red tape" actually came from. I'm told that in colonial India years ago, bureaucrats used to wrap their bundles of documents in red cotton ribbon. The bureaucracy in India became famous for their reputation of excellence and diligence but, of course, in the process those who receive these great bundles of documents ended up themselves being wrapped in red tape, and so now we've come to know that red tape means excessive bureaucracy.

**Mr Doug Galt (Northumberland):** And we've got a lot of it.

**Mrs Elliott:** We have a lot of it.

2340

I'm very pleased that our government has undertaken consistent initiatives to reduce the amount of red tape that our companies struggle with. This is the third red tape bill we've introduced in the Legislature. With its passage we will have repealed 28 acts and amended more than 149 others; 1,300 antiquated and redundant regulations have been revoked; more than a thousand licences, permits and reports required for food processing and farm businesses have been eliminated. Registering a business is now down from six weeks to 20 minutes. The most important thing for people involved in business, and "in business" means in creating jobs, is that we have made it easier and friendlier to do business in Ontario.

We were elected in 1995 on a promise of creating 725,000 jobs. Our ambitions are even greater in this next term of office: to create 825,000 jobs. Reducing unnecessary red tape is part and parcel of making those numbers happen. Those numbers aren't just numbers; those are jobs, those are opportunities for the Ontario that we know and love.

I want to say from personal experience that I am very pleased with the work that the Red Tape Commission has undertaken. I have a list here of various things this legislation will do—amending the Consumer Protection Act. I was interested to know that this act will expand consumers' rights by allowing a 10-day cooling-off period for people who go door to door and sell products. This is particularly important, of course, for seniors who may be pressured into purchasing something and then in the past only had two days to change their minds. This will be a very important thing. Other things—changes to the Mining Act; simple things, like the colour of the ink is now not going to be restricted to red.

I've heard regulations described in the past that it's sort of like sandstone, where one layer was just added upon and added upon another, and this is what our government has worked hard to do: to take off those layers and to make the regulations work properly which governments need to protect consumers.

I had an experience in my riding today which, although it's not directly related to red tape, reminded me of process. Today was a very eventful day in Guelph-Wellington. I was able to return to the riding for a short period of time to witness the signing of a tender. The tender was for the building of St Joseph's long-term care hospital. This was a very important event for people in my riding, people like Claude Flood, who has been working for 30 years to restructure our hospitals. Guelph was one of the communities to begin to realize that restructuring needed to occur on our own. We didn't have to have the restructuring commission come into our city. Our citizens, although not easily, found a way to restructure and to realign services.

I must say that there were many people very pleased that today the tender was finally signed. They were very pleased that it was our government that showed the leadership to see not only St Joseph's Hospital and Home receive its tender and move forward into building a brand-new facility, but that's following on the building of a new Guelph General Hospital which was sought for years and years as well.

I would like to draw to the attention of the members in this House that in 1988 the Liberals promised to have that same facility built in our riding. In fact, there was a groundbreaking at St Joseph's in 1988 and absolutely nothing was done. The situation was left to languish. Regretfully, during the regime of the NDP from 1990 to 1995, again, not a single thing was done in the riding of Guelph-Wellington. Health care was allowed to sit. Our consumers, our providers, our doctors, our nurses and of course the citizens were very concerned and extremely



disappointed that neither the Liberals nor the NDP took action in all that time.

When we took office, following a promise by the Premier in the election campaign that we would build those hospitals, we followed through, as we have done in so many areas of government. Not only is the General under construction, but today there is proof positive the tender documents are signed and the hospital is underway. Even though the documents were signed, the drawings were sitting on the table, the nurses could hardly believe it and even spoke to me and said, "Brenda, is this actually going to happen after all these years?" I know none of them will be up watching, but I can assure you that it is finally happening.

Although it's not directly related to red tape, it does make you wonder, when governments of the past couldn't accomplish such very important initiatives for our community, what on earth were they allowing to happen in things like red tape? This is a very large bill. As I said, it's our third act of reduction of unnecessary red tape, the kind of things we need to do in this province to create another 825,000 jobs.

**The Speaker:** Further debate?

**Mr James J. Bradley (St Catharines):** A red tape bill is always interesting. I've read it thoroughly. It's one of those bills that has so many things in it that could be detrimental if you read it a certain way.

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** An omnibus bill.

**Mr Bradley:** An ominous bill. In this case, I'm not so worried about the omnibus aspect of this as I am of the ominous aspect of this bill. What you always find somewhere in there—I'm glad the Minister of the Environment is here tonight—is some attack on the environment in these bills. I know he has probably gone through the bill carefully to ensure that there isn't something in this bill that adversely impacts on the environment.

There was one good thing I liked about this bill—and I think it's in this bill because I heard one of the members mention it—and that is the door-to-door salesperson and the cooling-off period. That's in this bill, isn't it? That's a good idea.

**Interjection:** So you have read it.

**Mr Bradley:** I have.

That is a good idea. I don't like being negative all the time and saying everything you do is wrong. That part of the bill is good.

That doesn't mean we're voting for the bill, because I know you always have a hostage in the bill, something we don't agree with. I know there's something we don't agree with in this bill. That's what you always do. If you would bring in a bill that the opposition and the general public thought was good, I'd love to get up and vote and say, "You know something, we've got consensus in this House and everybody is voting for the bill." But just when you've got something in the bill that you think is good, you look somewhere else and there's something negative, like they'll do something to the Niagara

Escarpment Commission, they'll make some administrative change, and that's contained in this bill. There's an administrative change in there in the periods of time that folks in our area, or any other area, have to comment on proposals before the Niagara Escarpment Commission. When you start shortening that timeline, the only people who can afford to get their comments ready quickly are the big developers or the people who can afford to hire those consultants, who seem to grow larger and larger all the time.

I'm concerned about that when you have one of these red tape bills. That doesn't mean everything in the red tape bill is bad; it just means in this case there are some things in it, and that's one of them I'm worried about, that make me not want to vote for this particular bill.

What I did want to indicate to you, and it's related to this bill—if you listen long enough, you'll find out how it's related.

"The town of Fort Erie today released the results of the first major poll of the views of Niagara region residents about the debate over municipal restructuring. The poll, conducted by Environics Research Group, shows almost two thirds of residents would oppose the amalgamation of all Niagara municipalities into a single city. In addition, an overwhelming majority favour a referendum before any changes are implemented."

The reason I say that is that the Minister of the Environment, who spends a good deal of his time trying to unite the right, that is, the Progressive Conservative Party, which is progressive, and the Reform Party, which is not progressive—

**Mr Howard Hampton (Kenora-Rainy River):** Preston's right-hand man.

2350

*Interjection.*

**Mr Bradley:** I wouldn't say he's Preston Manning's right-hand man at all but he certainly sounds like Preston Manning many times when he speaks in the House.

Anyway, what they want is a referendum. What I'm worried about with the referendum—and I'm wondering if this is hidden in the red tape bill. I know another bill that has already been the subject of some discussion, and a very profound and landmark decision by the Speaker of this House that you couldn't deal with that bill, Bill 25. I know what would happen is that you'd get to frame the question. I don't mean this in an illegal way, but it can be rigged in such a way or framed in such a way as to elicit an answer that the government wants.

Fort Erie believes that we should have a referendum throughout the Niagara region before you would even contemplate implementing any changes in the Niagara region. I hope the minister remembers that.

I'm worried, as you know, about the 75 provision, where you get 75 of your United Alternative people who want to bring something in to you and then say, "Send in a commissioner."

**Hon Mr Clement:** Not in Niagara.

**Mr Bradley:** The minister assures me he will never invoke that in the Niagara region. I have him on the

record now. Hansard picked that up. I know they could hear.

**Hon Mr Clement:** It doesn't apply to Niagara.

**Mr Bradley:** "It doesn't apply to Niagara," he says. It applies only to other areas. It's worrisome, nevertheless. I'll tell you why it's worrisome: because the region of Niagara used to be two counties, Lincoln county and Welland county. So I think you will find some way to try to apply it to the Niagara region.

Anyway, "... 65% of the residents oppose amalgamation into a single 'city of Niagara'; 44% are actually strongly opposed to it; ... 85% of residents want a referendum on any proposed change in governance structure, with over 66% saying it is 'very important'; 65% of residents believe their local municipality provides good and efficient government, ... residents are sceptical of the benefits of even more limited local amalgamation, with more people saying there would be an adverse rather than a beneficial effect on tax levels, accessibility and accountability of public officials, quality and efficiency of services, bureaucracy, and protection of local identity and neighbourhood needs."

The member for Wentworth-Burlington agrees with me on this. I know that. I can tell you, if a government I was ever part of was to implement one big city in Niagara, like the member for Wentworth-Burlington, I would say that if that bill passed, I would resign my seat in this House and go back to being a crown attorney or whatever I might be able to look forward to. I admire him on that, and if any government I was part of ever implemented that, I would do the same thing he's going to do.

**The Speaker:** Further debate? The member for Hamilton West.

**Mr Steve Gilchrist (Scarborough East):** The future mayor.

**Mr David Christopherson (Hamilton West):** The first thing I would like to mention, just because we've been talking about it—

**Mr Hampton:** And the former cabinet minister.

**Mr Christopherson:** I pulled that punch—something we've been talking about all day, that is, the time allocation motions, the fact that legislation is being rammed through this place faster and faster.

Earlier, I had talked, and others had too, about Bill 23, changes to the health portfolio and long-term care, and I referenced the fact that on the front page of the *Globe and Mail* was an article by John Ibbitson pointing out some of the concerns that are now cropping up as a result of this bill in terms of the way that individuals, or the government for that matter, may interpret the actual wording that's here, even if it wasn't what was intended, and the real damage that can be done by passing laws in a hurry and the implications for all of us.

I was pointing out that that's only a five-page bill. The front page of the *Globe and Mail* today, in Mr Ibbitson's article, was pointing out the problems with a bill of only five pages. I'd mentioned it earlier in the context of Bill 25, which of course is the omnibus bill that merges a

number of municipalities and actually is five bills wrapped into one, pointing out that following the same process as the one that caused the problems in Bill 23 is exactly what you did with Bill 25 in terms of introducing it, bringing in time allocation and ramming it through.

I raise these things because now we're dealing with Bill 11, and Bill 11, under time allocation—it's now about six minutes to midnight. When we're done there, I believe we are done debating the bill. I don't see the chief government whip indicating differently, so my recollection is correct.

Guess what? First of all, the problem bill was Bill 23: five pages, and we already see problems.

Bill 25: You tried to ram it through today. Fortunately, the Speaker saw that this would have done serious damage to the rights of individual members here in the opposition parties and you weren't able to make 25 law today; otherwise we'd be seeing time allocation, second reading and third reading all happening in the same calendar day. By any objective analysis that has to be unacceptable, or should have been. Yet we saw a government today try to convince you to make just such a ruling, Speaker. Obviously, we're very relieved on this side of the House that you saw fit to protect our rights.

That only buys us, however, a few days. This will still be law on Monday, more than likely. No public hearings, no opportunity to look at amendments—ram it through: Bill 23, five pages; Bill 25, 167 pages; and today we're dealing with Bill 11, on which we got less than a half-hour debate, and guess what? It runs a grand total of 225 pages. This wasn't a big enough boondoggle; 25 is not going to be a big enough boondoggle. No, we have to go here.

Bill 23, as I just mentioned, is a problem bill, already identified as a problem, a five-page bill. There could be serious implications because you didn't take the time to let other people—experts, professionals, stakeholders, people in the field—give you some advice, because you don't take advice. You don't need it. You're above that as a government.

**Mr Hampton:** They know it all.

**Mr Christopherson:** You know it all, my leader says, and that's right. That's the way that you project.

The explanatory notes alone, in smaller print, in Bill 11 run about 17 pages—the explanatory notes alone. I can't count how many different pieces of legislation are amended by this bill that we're giving 25 to 30 minutes' debate at third reading, no amendments, no public hearings, no opportunity for anybody to make any comment to you whatsoever: unheard of in terms of ramming through this much legislation with virtually no input from anyone, and you don't care.

I only have two minutes. Let me point out a couple of quick things.

First of all, the government on their Web site for this bill says as a part of the backgrounder, and I quote: "The Red Tape Reduction Act, 1999"—that's this monster—"if passed, will repeal the Oleomargarine Act, the Abandoned Orchards Act, the Fur Farms Act and the



Policy and Priorities Board of Cabinet Act.” The fact is that if you go through every one of these pages, you won’t find a reference to any one of those acts. If you don’t know what’s in the bill, how’s anybody else supposed to?

As if that wasn’t bad enough, when they make reference to the fact that the Policy and Priorities Board of Cabinet Act would be repealed in Bill 11, if passed, the fact of the matter is that you already repealed that act in December of last year, and this is on your Web page. You don’t even know what’s in this bill.

I can appreciate that backbenchers aren’t going to be expected to memorize this, and the truth is—don’t admit it, don’t say anything—but you probably haven’t read it. Really, why would you? You’d need to be a lawyer to fully understand this. But you put it on your Web site that things are going to happen if this gets passed and those things aren’t even in the bill, and one of the things that this is supposed to do, you already did a year ago. And then you have the audacity to tell us you know what you’re doing and you don’t need to listen to anyone.

At some point this government has to admit you are not infallible. You indeed do make mistakes and you

more than anyone would benefit from the expert advice others could give you if you had some decent public hearings.

**The Speaker:** Pursuant to the order of the House dated December 1, 1999, I am now required to put the question.

Mr Klees has moved to third reading of Bill 11.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say “aye.”

All those opposed will please say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell. Don’t call them in quite yet.

I have received from the chief government whip: Pursuant to standing order 28(h), the vote on Bill 11, third reading debate, will be deferred until Monday, December 20, 1999.

It being 12 o’clock, this House stands adjourned until Monday at 1:30.

*The House adjourned at 2400.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Beaches-East York	Lankin, Frances (ND)	Hamilton Mountain	Bountrogianni, Marie (L)
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
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Brant	Levac, Dave (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Broadview-Greenwood	Churley, Marilyn (ND)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wetlaufer, Wayne (PC)
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Davenport	Ruprecht, Tony (L)	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Don Valley East / -Est	Caplan, David (L)	London West / -Ouest	Wood, Bob (PC)
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Minister of Transportation / ministre des Transports	London-Fanshawe	Mazzilli, Frank (PC)
Dufferin-Peel-Wellington-Grey	Tilson, David (PC)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Solicitor General / solliciteur général
Durham	O'Toole, John R. (PC)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Eglinton-Lawrence	Colle, Mike (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga South / -Sud	<b>Marland, Hon / L'hon Margaret</b> (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines		
Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Scarborough Centre / -Centre	Mushinski, Marilyn (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Dan (PC)
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Sudbury	Bartolucci, Rick (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thornhill	Molinari, Tina R. (PC)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oxford	<b>Hardeman, Hon / L'hon Ernie</b> (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Parry Sound-Muskoka	<b>Eves, Hon / L'hon Ernie L.</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Perth-Middlesex	Johnson, Bert (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	<b>Palladini, Hon / L'hon Al</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Wentworth-Burlington	Skarica, Toni (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sault Ste Marie	Martin, Tony (ND)	Willowdale	Young, David (PC)
		Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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## Legislative Assembly of Ontario

First Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

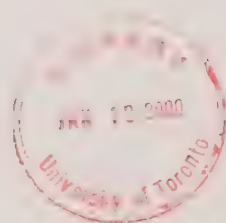
Première session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 20 December 1999

Lundi 20 décembre 1999



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 20 December 1999

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 20 décembre 1999

*The House met at 1330.  
Prayers.*

## MEMBERS' STATEMENTS

### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Steve Peters (Elgin-Middlesex-London):** Since the inception of this government's failed Ontario disability support program, persons with disabilities in this province have had to suffer from the incompetence and mean-spiritedness of this government. Sadly, I have to bring yet another example of the incompetence and mean-spiritedness of this program to light today.

David Kelly, a disabled person in my riding, applied for ODSP and filed his application on June 14. Mr Kelly has a rare disease stemming from his diabetes, along with severe arthritis. His ability to support himself has been lost and he requires social assistance. For five months Mr Kelly heard nothing from the Ontario disability adjudication unit. For five months he waited to see if he would be helped or abandoned.

Then, in a letter dated November 5, Mr Kelly was told he was not sufficiently disabled to collect ODSP. He was also told he had two weeks to appeal their decision. However, the envelope was not stamped by Canada Post until November 18. That was the day before the deadline to file his appeal. Mr Kelly did not receive this letter until well after the appeal deadline.

There are two explanations for the delay: Either the incompetence of the ministry staff is such that the letter was misplaced for two critical weeks, or else the ministry is so mean-spirited that they purposely sat on the letter for two weeks to prevent Mr Kelly's appeal.

The cause of this problem is not as important as finding a solution. The Minister of Community and Social Services must extend the deadline for Mr Kelly's appeal. I will have a page take the details to him.

### DELHI DISTRICT GERMAN HOME

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** I wish to pay tribute to a cultural hall in my riding, the Delhi District German Home. I recently attended their 50th anniversary celebrations and greatly enjoyed the evening, celebrating German traditions and cultures. That

night, I had the opportunity to welcome the German Consul General, Dr Wiprecht von Treskow, to Ontario and was fortunate enough to help celebrate the German community established in Norfolk early this century.

German people settled farms and created enterprises in Ontario in three different waves. The first was in the late 18th century; the last following the Second World War. Thousands of small businesses and farms, including tobacco farms, in my area were begun by Germanic peoples, creating hundreds of thousands of jobs.

The Delhi District German Home was chartered in 1948, and the cornerstone of today's hall was laid in 1949. This hall, and the hundreds like it across the province, have served as meeting places in many communities and have helped keep German language and culture alive.

That night, I told the audience of MPP Wayne Wettlaufer's bill to proclaim the second Tuesday in October as German Pioneers Day. I wish to congratulate the member from Kitchener Centre on his initiative and hope the House will officially recognize the role that Germans have played in building this province by supporting Mr Wettlaufer's private member's bill.

### SCHOOL CLOSURES

**Mr David Ramsay (Timiskaming-Cochrane):** The conseil scolaire de Grande Rivière, the French-language separate school board in northeastern Ontario, has commenced the closing review process for École Sainte-Thérèse in Ramore. This has been forced upon the board by the inadequate funding formula of the Mike Harris government that penalizes small, rural schools. This formula will have a devastating effect on our small, rural schools and our children right across this province.

The problem with the formula is that closing schools such as Sainte-Thérèse will mean busing three-year-olds and four-year-olds starting junior kindergarten two hours a day on northern Ontario highways with some of the worst weather in this province. These very young children will be away from their mothers and will be put in harm's way. Closure of this school, I believe, will put these children at risk and have a severe impact upon their education.

Minister, this is abuse, plain and simple abuse. Now you plan more cuts when the present formula won't even keep our small, northern rural schools open. When will you start to fight for our children and their education instead of being the Treasurer's lackey?

## MILLENNIUM MEMENTO

**Mrs Julia Munro (York North):** I rise in the House today to read a letter I have just received from constituents of mine. The letter reads as follows:

"I am writing in regard to the My Ontario Millennium Memento. I am a grade 12 student at Sutton District High School and I received my copy of the book yesterday. First of all, I would congratulate you and the government on this excellent project. I do not agree with the problems that people have with the book. In my opinion, I think it is a great book that will be put away and brought out later in my life to show my grandkids what millennium 2000 really was like. This is also memories of our school career, which are memories that are truly priceless.

"What some people in the community are trying to do is to prove that you are wrong in this publication. I want you to know that I and many others feel this was a great idea. This really is a great idea and you should be proud. Congratulations on a great job well done."

It's signed by Mike Jubb, Sandy Jubb, Amanda Gauthier, John Barnes and Edna and Moe Shepard.

This is but a sample of some of the positive responses we have received on this book. I would like to personally thank Minister Johns for giving the students of Ontario something they can keep as a wonderful reminder of this once-in-a-lifetime event.

1340

## APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Mr Dave Levac (Brant):** I want to take this opportunity to share with the House my observations of the work done on behalf of the citizens of the province of Ontario within the general government committee.

The recent recommendation of the individual for Environmental Commissioner has caused concerns by some people. Others believe no problems exist at all. As a participant in the process, I can say to this House that we do have problems. My support was not for the individual ultimately recommended for the position.

At every corner, discussions were had to try to foil what at times seemed to be partisan picks. The process was developed to try to eliminate any so-called stacking of the deck. Human resources and committee staff deserve great credit for their integrity and their hard work and efforts to this end.

Contrary to comments made by some people, a Liberal presence was there at each and every meeting pertaining to this appointment.

It should also be noted that how everyone ranked each candidate was supposed to be strictly confidential, which again points to a problem with integrity, honesty and respect when those picks were used in the public forum. To use this information in any other way points to what I said at one of our sessions: Shame on anyone who plays any game to prevent the government from hiring the best Environmental Commissioner this province deserves and needs.

I want to add my own small point to this situation. At no time did I ever divulge my individual pick for the commissioner, and having anyone else disclose that I had made any other pick indicates again the integrity of this particular commission.

I would also thank the House for providing me with this opportunity to give clarification, as well as my party whip, who understood that at one time I would not be able to make one meeting and a Liberal presence was there.

## FIRE SAFETY

**Mr David Christopherson (Hamilton West):** Members of this House of course will know that in July 1997 we had the infamous Plastimet fire. Since that time I and others have been calling repeatedly for this government to hold a public inquiry to determine exactly why this happened, how it happened, and what steps ought to be taken to prevent it from happening again. The government, day after day for years now, has consistently refused to do so, putting the lives of Hamiltonians and members of other communities at grave risk.

People will know that on the front page of the Hamilton Spectator today, along with the front page of the Toronto Star, there is a colour photo of another fire right across the street from the Plastimet fire. The headlines are: "Toxic Scare at Factory Inferno" and "Officials Feared Second Plastimet."

We have told this government that it's going to happen: There will be a repeat of Plastimet. I don't know what community. I feel sorry for those community members who are going to face this. I feel sorrier for the firefighters, police and other emergency response individuals who will be a part of responding to that fire when it does happen, not being fully equipped with all of the information and protection that they could be if the government would do the right thing and hold a public inquiry into the Plastimet fire.

## TRAFFIC SAFETY AWARD

**Mr R. Gary Stewart (Peterborough):** I rise today to pay tribute to a member of the Peterborough Lakefield Police Service. Constable Gary Takacs was honoured recently with the CAA Central Ontario Traffic Safety Officer of the Year Award.

Constable Takacs is a 22-year veteran who has been assigned to the community services unit for the past four years and has taken part in many traffic initiatives. One such initiative was the implementation of a new safety patrollers program at two schools in my riding, St Paul's school and Lakefield elementary school. Constable Takacs is also a member of a committee that brings the issue of drinking and driving to the attention of high school students.

On behalf of all the residents in my riding, I would like to extend my heartfelt gratitude to Constable Takacs and the members of the Peterborough Lakefield Police



Service. Thank you for teaching our children the importance of traffic safety. Thank you for teaching them the dangers of drinking and driving. Thank you for instilling in them the positive values and influences they will need in order to become upstanding members of our community. Thank you for caring so deeply about our safety.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Mr James J. Bradley (St Catharines):** The revelation that Gordon Miller, provincial Conservative candidate in Cochrane South in 1995, federal Conservative candidate in Nipissing in 1997, and president of the Nipissing federal Conservative association, is the Harris government's choice for Environmental Commissioner tarnishes what was once viewed as an independent, objective office of the Legislative Assembly.

Not content to dump Eva Ligeti, the highly regarded previous Environmental Commissioner who was often critical of the Harris government's environmental record, the Conservative majority wishes to replace Ms Ligeti with an individual with extremely close ties to the Harris regime. Environmentalists believe the polluter-friendly Harris government is appointing a house-trained lapdog to replace a genuine environmental watchdog. The fact that Mr Miller chose to conceal his deep and active involvement with the Conservative Party is a matter of great concern, particularly when his qualifications were stacked up against some high-quality internationally recognized applicants.

Having hacked away at environmental protection for the past five years, the Harris Conservatives have chosen a PC hack to sit in the Environmental Commissioner's chair. The appointment, if carried through by the government, places in real jeopardy the independence and credibility of an important office under the jurisdiction of the Legislative Assembly. The firing of Eva Ligeti and her replacement with an individual with such close Tory ties and involvement is in keeping with the Harris government's efforts to silence its critics and control any office that could prove to be embarrassing to the Conservative administration.

#### SAFE STREETS

**Mrs Brenda Elliott (Guelph-Wellington):** When the Attorney General introduced the Safe Streets Act, the Liberal leader opposed it. He and his party voted against this bill, calling it bad legislation. The Liberals' position on safe streets is further evidence that they are soft on crime. The Liberals opposed a bill that will make the women and seniors of this province feel safer by outlawing intimidating behaviour like aggressive panhandling and squeegeeing.

Liberals opposed legislation that protects our children from the disposal of syringes in parks. The Liberal leader dismissed this type of behaviour as a nuisance, but I don't think the parents of children who find dirty needles

in the sandboxes of their local playgrounds agree with this. The Liberal leader is hopelessly out of touch with ordinary Ontarians when it comes to making our streets safer.

He isn't listening to the police either. They understand, as we do, that these so-called nuisance crimes lead to bigger crimes and a decline in everyone's quality of life.

Every man, woman and child in Ontario has the right to feel safe when they walk our streets and when they undertake daily activities. On this side of the House, we were proud to vote in favour of the Safe Streets Act. We believe in those rights and we support Ontarians who deserve and expect an orderly and civil society. Once again, Dalton McGuinty and the Liberals have proven that they are soft on crime.

#### COMMISSIONERS OF ESTATE BILLS

**The Speaker (Hon Gary Carr):** I beg to inform the House that the Clerk has received a favourable report from the Commissioners of Estate Bills with respect to Bill Pr3, An Act respecting Peterborough Regional Health Centre.

Accordingly, pursuant to standing order 86(e), the bill and the report stand referred to the standing committee on regulations and private bills.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

**Mr R. Gary Stewart (Peterborough):** I beg leave to present a report from the standing committee on the Legislative Assembly and move the adoption of its recommendations.

**The Speaker (Hon Gary Carr):** Does the member wish a brief statement?

**Mr Stewart:** We have moved a recommendation that the Legislature give consideration to the appointment of Mr Clare Lewis as the next Ombudsman for a period of five years. I want to emphasize the fact that this choice and selection was all done in camera. I want to thank the members of the committee for their discretion and indeed their co-operation during that particular time. I would like to say that the decision to recommend Mr Lewis was done on the first recommendation, that it was the only recommendation, and that it was a unanimous decision by all members of the three caucuses.

I would also like to say that I personally look forward to working with Mr Lewis, if approved by this House, as Chairman of the Legislative Assembly and Ombudsman committee.

I move adjournment of the debate.

**The Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

The motion is carried.

#### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Ms Marilyn Mushinski (Scarborough Centre):** I beg leave to present a report from the standing committee on general government and move the adoption of its recommendation.

**The Speaker (Hon Gary Carr):** Does the member wish to make a brief statement?

**Ms Mushinski:** By orders of the House dated November 5 and December 2, 1999, the standing committee on general government was authorized to consider the matter of the appointment of the Environmental Commissioner and to report to the House its recommended candidate.

Your committee, therefore, recommends that the Speaker seek an order-in-council from the Lieutenant Governor to appoint Gordon Miller as Environmental Commissioner.

I move adjournment of the debate.

**The Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1352 to 1422.*

**The Speaker:** Ms Mushinski moves adjournment of the debate. All those in favour of the motion will rise at the same time and remain standing until recognized by the Clerk.

All those opposed to the motion will please rise and remain standing until recognized.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 56; the nays are 36.

**The Speaker:** I declare the motion carried.

#### INTRODUCTION OF BILLS

##### TECHNOLOGY FOR CLASSROOMS TAX CREDIT ACT, 1999

##### LOI DE 1999 SUR LE CRÉDIT D'IMPÔT FAVORISANT L'EMPLOI DE LA TECHNOLOGIE DANS LES SALLES DE CLASSE

Mr Hastings moved first reading of the following bill:  
Bill 40, An Act to amend the Education Act and the Income Tax Act to provide a tax credit for private sector investment in classroom technology / *Projet de loi 40, Loi modifiant la Loi sur l'éducation et la Loi de l'impôt*

sur le revenu pour créer un crédit d'impôt pour les investissements du secteur privé dans la technologie employée dans les salles de classe.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr John Hastings (Etobicoke North):** This bill amends the Income Tax Act to permit taxpayers who donate computer property to a school board to obtain an income tax credit against their income from a business or property for the amount of the undepreciated capital cost of the computer property at the time of the donation; if they acquired the property as new, no earlier than the third year before the taxation year in which they make the donation and the board accepts the donation.

Regulations under the act limit the classes or items of computer property for which the donation gives rise to a tax credit.

##### STATE OF EMERGENCY CONSUMER PROTECTION ACT, 1999

##### LOI DE 1999 SUR LA PROTECTION DES CONSOMMATEURS DANS UNE SITUATION D'URGENCE

Mr Bartolucci moved first reading of the following bill:

Bill 41, An Act to Protect Consumers during a State of Emergency / *Projet de loi 41, Loi visant à protéger les consommateurs pendant une situation d'urgence.*

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Rick Bartolucci (Sudbury):** This bill will ensure that during a state of emergency, no person whose business includes the retail sale of products shall sell to a person who resides in an area in which a state of emergency exists a necessary product at a higher price than the price of the product immediately before the state of emergency was in effect. "Necessary product" means food, clothing, firewood, batteries or any other thing that a person may require during a state of emergency to protect his or her health or safety or to protect his or her property.

Any individual who contravenes section 1 is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 or to imprisonment for a term of not more than one year, or both. Any corporation that contravenes section 1 is guilty of an offence and on conviction is liable to a fine of not more than \$100,000.

##### TECHNICAL STANDARDS AND SAFETY ACT, 1999

##### LOI DE 1999 SUR LES NORMES TECHNIQUES ET LA SÉCURITÉ

Mr Runciman moved first reading of the following bill:

Bill 42, An Act to enhance public safety and to improve competitiveness by ensuring compliance with modernized technical standards in various industries /



Projet de loi 42, Loi visant à accroître la sécurité publique et à améliorer la compétitivité en assurant l'observation de normes techniques modernisées dans plusieurs industries.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** The technical and safety legislation tabled today will help to protect millions of consumers every time they ride an elevator or escalator, take their children on a ski lift or Ferris wheel, or use the propane stove at their cottage.

Under this legislation, we will become leaders in public safety by giving our technical industries the ability to quickly take advantage of new innovations in safety equipment and technology as they become available.

### ASSESSMENT AMENDMENT ACT, 1999

#### LOI DE 1999 MODIFIANT LA LOI SUR L'ÉVALUATION FONCIÈRE

Mr Christopherson moved first reading of the following bill:

Bill 43, An Act to amend the Assessment Act / Projet de loi 43, Loi modifiant la Loi sur l'évaluation foncière.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr David Christopherson (Hamilton West):** This is a bill I have introduced before, in the hope that the government might be willing to look at this. It provides for an extension of the relief currently provided on one's property taxes if you make renovations to accommodate an elderly family member or someone who is or becomes handicapped.

Right now the law only provides for renovations to an existing building. There's at least one experience in Hamilton where a family chose to build an entirely new home and received none of the benefit they would have gotten had they done a renovation to an existing home. My amendment provides that they would also receive a relative break on their property taxes to assist them in paying the cost of providing housing that allows people to live in their homes.

1430

**Ms Marilyn Churley (Broadview-Greenwood):** Mr Speaker, I have a very important point of order to raise with you. For background, before I get to my point, I want to very briefly explain what this is about. I received a copy of a letter from Mr Ted Chudleigh, the member for Halton North, which was written to all three House leaders, with what I consider to be very inappropriate accusations against me in my role serving on the committee. He accuses me of breaking the confidentiality of a committee, but in the same letter actually does so himself by, for instance, revealing how various members on that committee voted, in that he pointed out that every member on the committee except for me in the first round did support Mr Miller, and that I was the only one on the

committee who did not do so. That is really breaking confidentiality. I will send you a copy of this letter.

Mr Speaker, my main point of order is this—I think you will be disturbed by the letter as well. In the last paragraph in this letter, Mr Chudleigh uses what I consider to be intimidating and threatening language. What he says is:

"I hope this Legislature and its members can, with your co-operation, find some way to extract from Ms Churley the apology that Mr Miller deserves."

I find that totally unacceptable—

**The Speaker (Hon Gary Carr):** Will the member take her seat. It is not a point of order.

The member for St Catharines had a point of order as well.

**Mr James J. Bradley (St Catharines):** Yes. Mine is a very brief point of order. I simply ask for unanimous consent of the House to proceed with second and third reading of my bill on predatory gas prices.

**The Speaker:** Is there unanimous consent? I heard a no.

### MOTIONS

#### HOUSE SITTINGS

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I move that, pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to midnight on Monday, December 20, 1999, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

#### MILLENNIUM MEMENTO

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I have found myself in possession of over a thousand copies of the millennium book. I delivered them to Queen's Park in my truck today. They were returned by students. The students don't want them; they don't belong to me.

I'm asking for direction. I tried to give some to government members; they sent them back. They don't want them. Who am I to deliver these one thousand-plus copies of the millennium book to? What am I to do with them, Speaker? They're not mine.

**The Speaker (Hon Gary Carr):** I thank the member. It is not a point of order. Also, as you know, I have warned members on two occasions about bringing the books in here. I want to be very clear: If the books come in here and get dumped across, I will name the members who are first across. So I would appreciate it if we

wouldn't have any of those tactics used in here. I want to be very clear about that ahead of time. Members will be named if we have any more dumping of the books across.

**Mrs Tina R. Molinari (Thornhill):** On a point of order, Mr Speaker: I want to clarify that the member opposite has been sending over the millennium books and I have been indicating that I would like some because there's a school in Thornhill that needs 450 copies.

**The Speaker:** The member asked for them.

## DEFERRED VOTES

### PENSION BENEFITS STATUTE LAW AMENDMENT ACT, 1999

### LOI DE 1999 MODIFIANT DES LOIS CONCERNANT LES RÉGIMES DE RETRAITE

Deferred vote on the motion for third reading of Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996 / Projet de loi 27, Loi modifiant la Loi sur les régimes de retraite et la Loi de 1996 sur le régime de retraite des députés.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1436 to 1441.*

**The Speaker:** All those in favour of the bill will please rise one at a time and be recognized by the Clerk.

#### Ayes

Amott, Ted	Hastings, John	Palladini, Al
Baird, John R.	Hodgson, Chris	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Chudleigh, Ted	Jackson, Cameron	Skarica, Toni
Clark, Brad	Johns, Helen	Snobelen, John
Clement, Tony	Johnson, Bert	Spina, Joseph
Coburn, Brian	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Stewart, R. Gary
DeFaria, Carl	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Martiniuk, Gerry	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Tilson, David
Elliott, Brenda	Mazzilli, Frank	Tsubouchi, David H.
Eves, Ernie L.	Molinari, Tina R.	Turnbull, David
Flaherty, Jim	Munro, Julia	Wettlauffer, Wayne
Galt, Doug	Murdoch, Bill	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Witmer, Elizabeth
Gill, Raminder	Newman, Dan	Wood, Bob
Guzzo, Garry J.	O'Toole, John	Young, David
Hardeman, Ernie	Ouellette, Jerry J.	

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Di Cocco, Caroline	Martel, Shelley
Bartolucci, Rick	Duncan, Dwight	McGuinty, Dalton
Bountrogianni, Marie	Gerretsen, John	McLeod, Lyn
Boyer, Claudette	Gravelle, Michael	Parsons, Ernie
Bradley, James J.	Hoy, Pat	Peters, Steve
Brown, Michael A.	Kennedy, Gerard	Phillips, Gerry
Christopherson, David	Kormos, Peter	Pupatello, Sandra
Churley, Marilyn	Kwinter, Monte	

Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph  
Crozier, Bruce

Lalonde, Jean-Marc  
Lankin, Frances  
Levac, David  
Marchese, Rosario

Ramsay, David  
Ruprecht, Tony  
Sergio, Mario  
Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 56; the nays are 36.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## CONCURRENCE IN SUPPLY

**The Speaker (Hon Gary Carr):** We now have a deferred vote on the motion for concurrence in supply of supplementaries only for the Ministry of Community and Social Services, the motion for concurrence in supply for the Ministry of Education and Training and the motion for concurrence in supply for the Ministry of Municipal Affairs and Housing.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1445 to 1450.*

**The Speaker:** Mr Clement has moved concurrence in supply of the Ministry of Community and Social Services. All those in favour please rise and be recognized by the Clerk.

#### Ayes

Amott, Ted	Hastings, John	Palladini, Al
Baird, John R.	Hodgson, Chris	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Chudleigh, Ted	Jackson, Cameron	Skarica, Toni
Clark, Brad	Johns, Helen	Snobelen, John
Clement, Tony	Johnson, Bert	Spina, Joseph
Coburn, Brian	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Stewart, R. Gary
DeFaria, Carl	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Martiniuk, Gerry	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Tilson, David
Elliott, Brenda	Mazzilli, Frank	Tsubouchi, David H.
Eves, Ernie L.	Molinari, Tina R.	Turnbull, David
Flaherty, Jim	Munro, Julia	Wettlauffer, Wayne
Galt, Doug	Murdoch, Bill	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Witmer, Elizabeth
Gill, Raminder	Newman, Dan	Wood, Bob
Guzzo, Garry J.	O'Toole, John	Young, David
Hardeman, Ernie	Ouellette, Jerry J.	

**The Speaker:** All those opposed will rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Di Cocco, Caroline	Martel, Shelley
Bartolucci, Rick	Duncan, Dwight	McGuinty, Dalton
Bountrogianni, Marie	Gerretsen, John	McLeod, Lyn
Boyer, Claudette	Gravelle, Michael	Parsons, Ernie
Bradley, James J.	Hoy, Pat	Peters, Steve
Brown, Michael A.	Kennedy, Gerard	Phillips, Gerry
Christopherson, David	Kormos, Peter	Pupatello, Sandra
Churley, Marilyn	Kwinter, Monte	Ramsay, David
Colle, Mike	Lalonde, Jean-Marc	Ruprecht, Tony
Conway, Sean G.	Lankin, Frances	Sergio, Mario
Cordiano, Joseph	Levac, David	Smitherman, George
Crozier, Bruce	Marchese, Rosario	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 56; the nays are 35.



**The Speaker:** I declare the motion carried.

Mr Clement has moved concurrence in supply of the Ministry of Education and Training. All those in favour? Same vote? Same vote.

**Clerk of the House:** The ayes are 56; the nays are 35.

**The Speaker:** I declare the motion carried.

Mr Clement has moved concurrence in supply of the Ministry of Municipal Affairs and Housing. Same vote? Same vote.

**Clerk of the House:** The ayes are 56; the nays are 35.

**The Speaker:** I declare the motion carried.

## RED TAPE REDUCTION ACT, 1999

### LOI DE 1999 VISANT À RÉDUIRE LES FORMALITÉS ADMINISTRATIVES

Deferred vote on third reading of Bill 11, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting four new Acts / Projet de loi 11, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant quatre nouvelles lois.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1454 to 1459.*

**The Speaker:** Mr Klees has moved third reading of Bill 11.

All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Arnott, Ted	Hastings, John	Palladini, Al
Baird, John R.	Hodgson, Chris	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Chudleigh, Ted	Jackson, Cameron	Skarica, Toni
Clark, Brad	Johns, Helen	Snobelen, John
Clement, Tony	Johnson, Bert	Spina, Joseph
Coburn, Brian	Kells, Morley	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Stewart, R. Gary
DeFaria, Carl	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Martiniuk, Gerry	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Tilson, David
Elliott, Brenda	Mazzilli, Frank	Tsubouchi, David H.
Eves, Ernie L.	Molinari, Tina R.	Turnbull, David
Flaherty, Jim	Munro, Julia	Wettlaufer, Wayne
Galt, Doug	Murdoch, Bill	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Witmer, Elizabeth
Gill, Raminder	Newman, Dan	Wood, Bob
Guzzo, Garry J.	O'Toole, John	Young, David
Hardeman, Ernie	Ouellette, Jerry J.	

**The Speaker:** All those opposed to the bill will rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic	Di Cocco, Caroline	McGuinty, Dalton
Bartolucci, Rick	Duncan, Dwight	McLeod, Lyn
Bountrogianni, Marie	Gerretsen, John	Parsons, Ernie
Boyer, Claudette	Gravelle, Michael	Patten, Richard
Bradley, James J.	Hoy, Pat	Peters, Steve

Brown, Michael A.  
Christopherson, David  
Churley, Marilyn  
Colle, Mike  
Conway, Sean G.  
Cordiano, Joseph  
Crozier, Bruce  
Curling, Alvin  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc  
Lankin, Frances  
Levac, David  
Marchese, Rosario  
Martel, Shelley

Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Ruprecht, Tony  
Sergio, Mario  
Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 56; the nays are 37.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

## ORAL QUESTIONS

### FRENCH-LANGUAGE SERVICES

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Minister of Municipal Affairs. Your own special adviser in Ottawa-Carleton recommended that the province should designate the new city of Ottawa as officially bilingual. In doing so, he said this was one of the most important issues raised during the public consultation process. He also declared that Ottawa was "unique among cities in this province and country in that it is the capital of Canada."

Minister, you have ignored this advice and for two weeks now you and the Premier have washed your hands while you were aided and abetted by the francophones' very own Judas Iscariot, John Baird.

You said you will have nothing to do with this issue and that it is a matter that rests entirely with the locals. Can you please tell us today what section of the Municipal Act you believe would give the new city of Ottawa the ability to declare itself officially bilingual?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** I suggest—

**Hon Margaret Marland (Minister without Portfolio [Children]):** On a point of order, Mr Speaker: Are you going to accept that language from the leader of the—

**The Speaker (Hon Gary Carr):** That is not a point of order.

**Hon Mr Clement:** Mr Speaker, perhaps the honourable member should check the French Language Services Act which, as he might know, allows municipalities to pass bylaws which enable them to provide services in both French and English. Perhaps if he expanded his horizons a bit and read the record in its entirety, he would understand that.

I have no doubt that the municipalities are able to make these kinds of local decisions, just as they have done in this province for the last 130 years. The question I have for the honourable member is: Why does he not have faith in the local municipalities, the local councils, to make these sorts of decisions as they have done for the

last 130 years? What is he afraid of and what is he trying to impose upon the local councils, that they did not have the power to do earlier? In fact, they did have the power to do that earlier. They are able to make those decisions, and we have every faith that they can make those decisions in the best interests of the people in the society and the municipality they profess to serve.

**Mr McGuinty:** Minister, the fact is that the courts have made it perfectly clear that it is only within the jurisdiction of the province to declare or designate any of our cities officially bilingual. It's not up to the local; it's up to you. It's up to the province of Ontario.

**The Speaker:** Just a point of order: The member for Niagara Centre, I said we could bring some over. I think that about does it. I say to the government members, I'd appreciate it if we had this stopped. I would appreciate it if we don't do any more points of orders and ask for any of the books. If you want to make arrangements, please do it on your own time and deliver them over; otherwise we're going to start up again.

I know the member asked for them. Now it's getting carried away. I would ask the member for Niagara Centre not to proceed. If you want to do it, take them to the office. I thank the member.

Sorry for the interruption.

**Mr McGuinty:** Minister, we're not talking here about dog leash laws, we're not talking about garbage pickup, we're not talking about beach closings and we're not talking about bus routes. The issue here is whether Canada, a bilingual country, should have as its capital an officially bilingual city. The courts have said that that decision is up to you. The locals cannot make that decision. Minister, what is your decision with respect to this issue?

**Hon Mr Clement:** I would refer the honourable member to section 103 of the Municipal Act. Perhaps he would find something that would help him with his answer.

I will read subsection 14(1) of the French Language Services Act, which indicates, "The council of a municipality that is an area designated in the schedule may pass a bylaw providing that the administration of the municipality shall be conducted in both English and French and that all or specified municipal services to the public shall be made available in both languages."

That means bylaws and resolutions. It means official plans. It means council and committee meetings. It means minutes of council and committee meetings. It means officers and employees conduct business and affairs in both official languages. It is as clear as night and day that that is what is in the legislation. It has always been that way since 1986, and it was amended to further strengthen it in 1989, after the court decision to which he refers. That is clear. The only question which muddles the debate is, why is he trying to impose his decisions and his mores on the local municipalities when they have the perfect right and ability to make those local decisions? That's the question I'd like to ask him.

**Mr McGuinty:** Minister, why are you so afraid to stand up for a bilingual nation's capital? Mr Shortliffe,

your own adviser, said, "I recommend that the enabling legislation establish and designate the city of Ottawa as officially bilingual in French and English." Only the province of Ontario can officially proclaim the city of Ottawa as officially bilingual.

Minister, I will ask you one more time: Why are you so afraid to stand up, recognize the history of this very country, and formally and officially declare that Canada's capital should be officially bilingual?

**Hon Mr Clement:** I'd be happy to say again for the record that nothing in this bill derogates from the powers and authorities that designate a particular municipality bilingual in terms of the local services that are required, and that is the issue: how to access local services. That has not changed for the city of Ottawa; it has not changed for the city of Hamilton; it has not changed for the city of Sudbury; it has not changed for the town of Haldimand and the town of Norfolk. Nothing in this bill derogates from the rights and obligations that they had before this bill was contemplated by this Legislature. That is a fact.

What I find disturbing is that the honourable member wants to force the issue, trying to make a statement based on pure partisan political purposes when he knows very well that this bill protects the same rights and the same responsibilities as before this bill was introduced. We are proud to stand in favour of local rights, local options and local responsibilities on this side of the House.

1510

## HAZARDOUS WASTE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the same minister, this time in his capacity as Minister of the Environment. Ontario has become the dumping ground for US hazardous waste. US exports of hazardous waste to our province have quintupled since 1993. In 1993, Ontario took in 56,000 tonnes of toxic waste. Last year, we took in 288,000 tonnes of toxic waste. Not only have you not acted to stop this; in fact, you have made it happen.

Your ministry allowed a major expansion of the Safety-Kleen site near Samia without so much as a single public hearing. That site today gets 70% of its hazardous waste from outside of Ontario. Last week that site had to be closed, not because of one but because of two serious leaks. Will you now admit that your approach to hazardous waste has been hazardous to the health of our environment and our people?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** I thank the honourable member for the question. The only problem is timing. He is three months too late for the question. On September 17 this year my ministry, and myself acting as minister, announced a six-point plan designed to ensure that our hazardous waste regulations are the most modern, the most progressive on the continent.

We tightened up the regulations to make sure that they fulfill the desires of our guidelines, which were tighter than our regulations. That was not the case before we



made this decision. In fact, that was the case before we came into power as government. We set in motion a process designed to ensure that our hazardous waste regulations are being reviewed right now.

It is I think a matter of public record that we have committed to finding the best kinds of regulations throughout the entire continent and to adopting them as our own, to make sure that we protect the health and safety of our citizenry, which of course is our first priority and always will be.

**Mr McGuinty:** There's nothing quite like an aggressive review of regulations to comfort us on this side of the House. You promised, specifically back in September, to make our laws tougher. You have done nothing of substance on that front to this point in time.

There was a time not so long ago in the history of this province when we were held out as an example to North America. We were seen as leaders when it came to protecting our natural environment. Now we hold the dubious distinction of being the second-worst polluter in North America.

The Americans have pulled the rug right out from under their polluters. Why is it that you are laying out the welcome mat to those same polluters?

**Hon Mr Clement:** Nothing could be further from the truth, as to what the honourable member just said. As I mentioned to him, on September 17 we announced a comprehensive review and we acted on that date to ensure that our regulations were up to snuff in terms of our guidelines, which were tougher, but they were not in the sense of the law. We made sure the law was as tough as the guidelines. We made sure that the federal government is acting in concert with us to track the hazardous waste as it goes through our system, cradle to grave, to make sure that we know where the hazardous waste is and make sure it is disposed of correctly. Those are things we've done already.

We promised, and we are acting upon that promise, to ensure that our hazardous waste regulations are the most progressive, are the most aggressive on the continent. That means reviewing all the regulations in all the other jurisdictions to make sure we have the best, and if we don't have the best, that it will be the best. That is our commitment, and I would say that at the time it was reviewed positively.

I'd be happy to work with the honourable member if he has any suggestions, but our commitment is to the best hazardous waste regulations on the continent, and we are acting upon that.

#### LANDFILL

**Ms Caroline Di Cocco (Sarnia-Lambton):** Your government fast-tracked the expansion of the toxic dump in Moore township in 1997, and you've been asleep at the wheel.

You assured me on October 17 this year that this hundred-acre site was secure and that there were no health and safety risks. We know now that this is not the

case. You finally shut it down last Tuesday because of serious problems to the integrity of the site.

Will you give full public disclosure as to the reasons why you shut this site down, full public hearings before it is reopened, and will you have a health study done as requested by the area residents?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** First of all, let me assure the House that there have been no off-site indications of effects on health and safety, but we acted with an abundance of caution to make sure that was not the case.

**Interjection:** How do you know that?

**Hon Mr Clement:** Because we have done the testing; that's how we know.

The rules and regulations in this province have been in place since 1985. Does 1985 ring a bell with anybody on the opposite side of the House? That was the first year of their government.

In 1986, here's what the Minister of the Environment, a gentleman by the name of Jim Bradley, had to say about those regulations: "Our system works like a high-beam searchlight. Toxic waste can no longer disappear to escape proper scrutiny."

Well, in 1999 we found that wasn't quite the case. That's why we toughened the regulations, and that's why we're reviewing those regulations. I can promise you that we will do a better job than the party that is currently on the opposite side of the House.

#### CHILDREN'S MENTAL HEALTH SERVICES

**Ms Frances Lankin (Beaches-East York):** My question is to the minister responsible for children's issues. Your government is sitting on a powder keg with respect to services for children in the Windsor-Essex area. The Ministry of Health and the Ministry of Community and Social Services are giving the community a bureaucratic runaround. It's time for you to step in on behalf of children.

There is an unprecedented crisis in the mental health of children in that area. The experts there have been begging your government to respond for a year. Like most things, you shrugged it off to a study. You have had the study since September, and it shows that a 100% yearly increase in caseloads has been taking place and a doubling of re-referrals. Over the last year, while they've been pleading for your help, the numbers being admitted to hospitals in serious suicidal or homicidal states have increased by 23%. Some of the worst violence is among kindergarten and grade 1 students.

Your own study shows that you need \$1.25 million. The hospital restructuring commission says you need nine psychiatric beds for kids. You have done nothing. Will you agree to meet with these agencies and at least discuss these urgent demands?

**Hon Margaret Marland (Minister without Portfolio [Children]):** I am very glad to have this question because, as this member knows, I have met with these

agencies. In fact, I spent three months in consultation all over this province with all the stakeholders dealing with the issue of children's mental health. As a result of those meetings, we are now making changes and an infusion of funds to help these children.

This member is quite right: There has been a very long-standing problem for children with mental health needs, especially for their families, and there have always been long waiting lists. This member knows that her government started to look at the problem. We're very pleased to say we have now taken a close look, and I have been able to talk to my colleagues in cabinet and we have action.

**Ms Lankin:** I was trying to give the minister responsible for children's issues a chance to get a better rating than zero from the Toronto Sun, but that answer is not going to do it, I'm sorry.

Last week, your government patted itself on the back with this big announcement about new dollars for mental health. You have just mentioned it again. Yet none of those dollars were earmarked for Windsor; none of them will address this crisis. Yet the report you said you needed before you could act, the report you've had in hand since September, says that Windsor is the most underserved area in all southwestern Ontario.

One executive director says that the level of violence and the volume of need are "unprecedented," and another says, "It's never been worse than this." Residential beds have been cut from 114 to 25, day treatment spaces from 161 to 150, waiting lists have increased, and there are now 689 kids. The combination of all this is a powder keg for the Windsor community.

At the very least, Minister, will you commit today to meet this week with those agencies and hear from them directly the urgent plea for desperate kids in Windsor-Essex?

**Hon Mrs Marland:** Further to the consultations that I did take part in, our government has indeed announced additional funding. Actually, we announced \$10 million in new funding this year, growing to \$20 million next year. That commitment was made not only in the spring throne speech and the spring budget but again in our throne speech this fall.

Our commitment to these children and their families is very sincere, and the money is starting to flow. We recognize that need, and it is true that the need has always been there. Unfortunately, previous governments haven't made that a priority in the way that our government has.

1520

**Ms Lankin:** Please just listen. Here is the report that you've had since September. It's not talking about the province-wide problems; it's talking about a specific crisis in Windsor. I can't believe these platitudes we're getting in response.

For kids right now, if they try to commit suicide, there is no suicide psychiatric bed for them. They end up in a pediatric ward where they can't get the right care or they end up nowhere. Agencies right now in Windsor are

looking at the option of sending these kids to jail until social service responses are possible within the community. This is a crisis.

**Dr Bagatto,** the CEO of Hotel-Dieu Grace, wrote to the ministry last week because of the bureaucratic runaround they're getting from Comsoc, and he said: "It is indicative to me that you do not comprehend this crisis ... I am appalled that the province of Ontario with all its resources cannot care for children in severe distress. When children come to us in crisis, our system continues to victimize them."

That's neglect of children, Minister. Will you stand up and do your job on behalf of children? Will you agree to meet with the Windsor community and hear directly from them that this is above and beyond a provincial problem, that it's a crisis? It needs to have intervention from you and your government now.

**Hon Mrs Marland:** Everything our government is doing is to help children. If you look at any program where we have increased the funding, the direct impact ultimately is on children. The very fact that these children have the problems they have, to which this member refers, probably goes back to their preschool years. That's the reason our government has made the early years, from zero to six, a priority. That's the reason we are now starting the early child development and parenting programs, and those centres will be able to help those families from the very beginning.

For the first time, every child in this province is being screened at birth. Over 150,000 children are now being screened for risk, and we're very proud of the fact that the early intervention and prevention program—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Ms Marilyn Churley (Broadview-Greenwood):** My question is for the government House leader. I tabled a motion today which asks the Legislature to order the general government committee to reconvene in order to reopen the appointments process with respect to the hiring of the Environmental Commissioner.

Minister, no qualification for this job is more important than independence from the ruling political party. Listen to this quote from the background paper on the role of the Environmental Commissioner: "In particular, the ECO's position is independent of the party in power, and its impartiality cannot be compromised by pressure from non-statutory considerations such as political pressures, potential reprisals or interference."

Don't you agree the committee should have a chance to review whether someone who up to three days ago was in charge of running the PC Party in the Premier's own riding has too much political baggage to enjoy public confidence as the Environmental Commissioner of Ontario? Wouldn't you agree that the committee should have the chance to reconsider this appointment?



**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I'll consider the member's motion; I haven't seen a motion. She did not give me any advance notice that she was going to put this motion.

I think if we look at history, this time through this method was exactly the same method that was used in 1994 to appoint the previous Environmental Commissioner. There was not unanimous consent in 1994. All the applicants for this position, as I understand it, applied independently to human resources—some 70 people. The committee interviewed people and came to a conclusion. I think that's the way the process worked in the past. There was some opposition before and I understand there's some opposition now.

**Ms Churley:** If what you are looking for in an Environmental Commissioner is a rubber stamp or a loyal lapdog who will not enjoy any measure of public confidence, appointing a backroom Tory political hack is an excellent idea. But if you have any commitment at all to the reasoning embraced by this House when the NDP brought in the position of Environmental Commissioner in 1994, you need to act now. You must not let your attachment to the Tory party and your own partisan loyalties cloud your judgement on this issue.

Minister, I am asking you today, will you not listen to reason, realize you've made a big mistake and protect a most valuable institution in Ontario by asking the committee to reconsider? As you said, there were 71 applicants, some of whom were highly qualified. Will you agree to ask the committee to go back to the drawing board and reconsider this position in light of the information that has recently become available to the committee and to the people of Ontario? Will you not agree to that?

**Hon Mr Sterling:** We have a legislative process. We have a process which was actually used by Ms Churley and the NDP the last time through. They put forward a candidate, as I understand it, the last time. That particular candidate became the Environmental Commissioner, a sympathizer with her political party at the time. As I understand it, the candidate who has been recommended now by the committee was completely candid with the committee as to his political affiliation when asked about those particular things. Therefore, the committee has put forward its recommendation. I think it's up to the Legislature to respect that committee's decision and carry on with the process as it has been in the past.

#### CHILDREN WITH SPECIAL NEEDS

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Minister of Education. I want to ask you about the way you're cutting assistants to special-needs children around this province. I specifically want to ask you about your lack of responsiveness. Not only, it seems, are you not prepared to fix this problem, you're prepared to let it get worse. In Thunder Bay two days from now 15 assistants are going to be laid off, 15 people

who have been helping some of the most vulnerable kids in that school system. Some 160 kids are going to be affected. We've heard you give excuses, we've heard you blame school boards, but it's happening in 66 out of 72 boards around the province.

Today we want to know, will you give the money back, the \$500,000 you cut from the Thunder Bay Catholic school board, the \$106 million you took from schools around this province? Will you give it back and will you make sure they don't have to lay off these special assistants two days before Christmas?

**Hon Janet Ecker (Minister of Education):** First of all, as the honourable member well knows, there has been no cut to special education funding in this province. As a matter of fact, there has been an increase in the spending of special education funding in this province. I know the honourable member has some difficulty coping with that, but there is an increase. We have also said very clearly that we recognize that despite the fact we have put more money out there for special education funding, and despite the fact there are some program changes that the boards and parents are recommending we make, we've made that commitment. We are indeed going to do that. The honourable member knows that. I suggest he talk to the boards. They make hiring decisions as to what employees they need or don't need. That is their decision, as it has been for many, many years and as it will be for many, many years.

**Mr Kennedy:** The superintendent of the board says it's because of your funding formula. Minister, you have made these feeble excuses. You let 23 people stay out of school in Hamilton. All across the province you've been prepared to sacrifice children's futures.

There are a couple of young adults here today. I want you to address your response to them. Kevin Schmidt is here. Before your changes to the funding formula that denied any funding for new kids, six new kids came to Bishop Allen Academy needing help. Because you wouldn't give any more money, they had to split up the assistants available. That means Kevin, a bright, aspiring young man who has Down's syndrome, has to start his day at 10:30 and end it at 2 o'clock. Thanks to you, his day is cut by two hours. He's here today. Ralph Moreno is here today. He's a grade 11 student, and he's doing well. He is worried about being cut again next year.

1530

There are 200,000 kids out there who have been affected by your cutbacks. They're itemized on the list that comes from public school board officials. You've never put forward a list to refute that.

Minister, will you bring some dignity to your office today? Will you help these kids get the education they have a right to in this province?

**Hon Mrs Ecker:** Perhaps the honourable member could take some lessons in dignity when he keeps using people's individual circumstances to make political hay.

I really think the honourable member—

*Interjections*

**The Speaker (Hon Gary Carr):** Order.

**Hon Mrs Ecker:** We have spent considerable time working with parents and with boards because we recognize that changes need to be made in the way special education programming is being provided by boards and also in the way that money flows to boards. We have said that very clearly. We are going to abide by the commitment we have made, and nothing the honourable member can say is going to change that.

We started originally by saying to the boards: "How much do you need for special education? What are you spending?" That's where we started, with the numbers they gave us. We then topped up last year, and we topped up again this year. Do we need to do more? Of course we do, and we're proceeding to do that. If the honourable member has some useful recommendations—

**The Speaker:** Order. The minister's time is up.

### EDUCATION FUNDING

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** My question is also for the Minister of Education.

The Grand Erie school board, over the last year or two, has threatened at least four different rural high schools with closure. They've done this despite the fact that the Premier's 20% top-up announcement of last year gives the board in the neighbourhood of \$2.6 million in permanent funding each year to keep schools open.

People in my riding are concerned about possible school closures. They want to be assured the boards have the resources to keep rural secondary schools open, if they so choose.

What steps have been taken to ensure that school boards can keep small rural high schools open especially in single-school communities?

**Hon Janet Ecker (Minister of Education):** One of the reasons we specifically constructed funding for school boards that represent—

*Interjections.*

**The Speaker (Hon Gary Carr):** We can't continue when you're shouting across the floor to each other.

**Hon Mrs Ecker:** One of the reasons we changed the way funding went to school boards was so we could better support boards that have rural schools and sparser populations. One of the difficulties and challenges those boards have is that they have a declining enrolment.

In the case of the Grand Erie District School Board, which does have a declining enrolment, they've actually received additional monies on top of what their enrolment would indicate so they can be able to better manage the transitions they need to make.

It should be pointed out that the geographic grant that goes to school boards has indeed doubled, and the small schools' money has increased by some 103%, because we recognize that those boards have unique challenges and we want to better support them in doing that.

**Mr Barrett:** However, the residents of my riding believe the Grand Erie board is not taking the full picture into account when deciding school accommodation issues. Residents believe the board has no real strategic

plan to deal with excess space in schools and that wrong-headed decisions are being rushed through.

What can be done to ensure that a board has a long-term plan to deal with issues surrounding school openings and closings that deeply affect communities?

**Hon Mrs Ecker:** While we have changed the way we provide financial assistance to boards, especially rural boards, to support them in their decisions, it is still the decision of the trustees who are elected by the community to make decisions about what they think best reflects their community needs. We heard very clearly from boards that they didn't want to have to go through the arduous process of applying for and waiting for capital grants. They were complaining that they couldn't predict revenue flows and couldn't plan appropriately, that they needed to be able to begin construction and changes to schools when they deemed it necessary as opposed to when the ministry dictated it was necessary.

We have made all those changes for those boards. But at the end of the day it is the elected trustees. I understand that in this community they have a task force that will be meeting and consulting. I understand that some very good recommendations have been put forward by the community, and I hope they are going to be able to work this out in the best interests of those school communities.

**The Speaker:** New question.

**Mr Gerard Kennedy (Parkdale-High Park):** I have a question for the Minister of Education. I have a question that the people represented by the last member to address you wish had been asked in this House. The people living in the Grand Erie board area, just like the people living in Avon Maitland, in boards around the province—as the member for Chatham-Kent Essex told your predecessor a year ago, you're ripping the heart out of communities when you allow single-school communities to have their high schools closed.

Seaforth, Port Dover, Valley Heights are communities with schools that are vital to their economic well-being, that are vital to their ability to function as full communities. Years ago people fought to have those schools there.

What I want to know from you is: Will you be making provisions for those schools? Will you do what they have written to you and asked you to do; that is, bring in a rural funding formula?

Will you stop smashing those small schools with the same formula you use in the big cities, and will you bring in equitable and fair rural funding to help keep these schools and these communities open? Will you do that?

**Hon Mrs Ecker:** Yet again, Liberal research strikes. The critic here doesn't seem to know, but the rural school boards are well aware that there is a rural funding formula. We spent a lot of time working with them to develop it. It is specifically for boards like Avon and Grand Erie, where enrolment is declining. Even though the enrolment declined, the money they receive went up. Why? To help those boards meet the needs of their communities.



I am sure the honourable member is not suggesting that we take away from locally elected trustees those important decisions about how to plan—

*Interjections.*

**The Speaker:** Order.

**Hon Mrs Ecker:** I am sure the honourable member is not suggesting that the Liberal Party policy is to take away from locally elected trustees the important decision-making authority about planning for schools and planning for their communities' needs. If that is a Liberal Party position, he should articulate it. We recognize that those boards have unique needs, and that's why we increased funding for them. We are always interested—

**The Speaker:** Order. The minister's time is up. Supplementary.

**Mr Kennedy:** Indeed the minister's time is up, because the minister has been avoiding this issue and instead—

*Interjections.*

**Mr Kennedy:** Minister, you claim there's a rural funding formula. This member's riding has all of \$62,000 in rural funding while the Premier's and the Treasurer's ridings get \$2.5 million.

Those municipalities have told you; in fact, on December 6 the regional municipality of Haldimand-Norfolk passed a resolution. It says that your funding formula is placing their schools in jeopardy. They know what you won't accept. The town of Nanticoke is looking at legal options and they have invited this member to come and talk to them, finally, about what is to happen.

The students of those schools reaffirm that you are taking away their communities. The mayors of those communities say their economic well-being will be devastated if you let these schools close.

I ask you again, and please listen carefully: There needs to be, as the Ontario Federation of Agriculture has asked, a rural funding strategy. Will you call for a moratorium on rural school closures until you bring a proper rural funding formula into place in Ontario?

**Hon Mrs Ecker:** So the honourable member's position is that we take away from trustees one of their most important decision-making authorities. It's interesting that he does not have the respect for those boards and for those elected—

*Interjections.*

**The Speaker:** Order.

**Hon Mrs Ecker:** We do have a rural funding formula. We have a funding formula that has almost doubled; in some cases the money has increased by over 100%, even for boards like these boards where there has been declining enrolment. They are the ones that need to make these decisions. The communities have brought forward many suggestions.

The other thing I should say to the honourable member is that every time a school board says—as boards have said for years. They've always had the authority to make changes and decide which schools close and which schools open. They did it when his government was in power. Obviously they don't agree now that they're in opposition. I understand that. But

boards have always had that authority and will continue to have it.

We have said that we are talking to the OFA; we've talked to the boards. If there are more changes that can be made, we're certainly prepared to look at them, as we do every year when we're developing the new grants and the funding for next year. But to suggest, as this honourable member—

**The Speaker:** The minister's time is up.

1540

## TRANSFER PAYMENTS

**Mr Ted Arnott (Waterloo-Wellington):** My question is for my honourable friend the Minister of Finance. My constituents in Waterloo-Wellington expect high-quality health care, post-secondary education and social services to be available and accessible when they need them. Furthermore they demand that both the provincial and federal governments work together to make these services a priority. There is concern that a variety of rising cost pressures, particularly in health care, such as the increase in our aging population and major cuts in federal transfers—I know my friends across the floor want to hear that—will put the future of our health system in jeopardy if not addressed.

Would the minister update the House on the impact of these pressures, especially those related to the federal cuts in transfer payments to Ontario?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** Of course members of this Legislature will know that between 1995 and 1999 the federal government reduced transfer payments to provinces under the Canada health and social transfer arrangement by some 33%, or \$6.4 billion a year. Over the same period of time they cut their own program spending by some 3%, as opposed to 33%.

Ontario's cash payments under CHST were reduced by \$2.8 billion a year. In spite of that fact, in spite of the fact that the federal government cut us back \$2.8 billion, we have raised the amount of money we're spending on health care in this province, between 1995 and today, by \$3.3 billion a year. So the federal government in Ottawa reduced health care payments in Ontario by \$2.8 billion. We absorbed that \$2.8 billion and added another \$3.3 billion a year on top.

Every province has had the same problem. We've all had to cope with the lack of interest by the federal government in health care.

**Mr Arnott:** I think from that answer the minister would agree with me that the federal government must restore the fiscal integrity of federalism in Canada by fully restoring the funds cut from federal transfer payments.

Last Monday I tabled a resolution calling upon the government of Canada to fully restore the Canada health and social transfer to 1994-95 levels and to work to establish a fair funding approach which ensures that these cash transfers increase to keep pace with future cost pressures faced by provincial governments across the

country in the delivery of health services, post-secondary education and social services.

My supplementary question, then, to the minister is this: What action is the government of Ontario taking to ensure that the federal government reviews this issue and responds with fair funding for health care, post-secondary education and social services in Ontario?

**Hon Mr Eves:** On November 15 of this year provincial finance ministers from all across the country and the territories attended in Toronto. We passed a unanimous resolution asking the federal government, among other things, to immediately restore CHST payments, especially with respect to health care and post-secondary education. We reiterated this request at the finance ministers' meeting with the federal finance minister on December 8 and 9, a couple of weeks ago. Now that the federal government appears to have a balance, a surplus if you will, a surplus on the backs of the 10 provinces and three territories, I might add—

*Interjections.*

**Hon Mr Eves:** I might say to my honourable friend from Windsor that I'm sure there isn't one single member in this Legislature who will vote against the honourable member's—

**The Speaker (Hon Gary Carr):** Order. Minister, take your seat.

#### AFFORDABLE HOUSING

**Mr Rosario Marchese (Trinity-Spadina):** My question is to the Minister of Housing. He will know that last Friday the federal government announced some money to help the homeless. One thing was missing. Although it was welcome, almost none of it was devoted to the key issue: the lack of affordable housing. The money you received a while ago as part of the federal download deal of non-profit housing is supposed to be spent to help house low-income people.

I grant you, you spent some money, a lot of millions of dollars, for rent supplements. You've done that, so don't repeat that to me, because I know you've done that. What you did was you then grabbed—

*Interjections.*

**Mr Marchese:** Minister, listen to this. Minister, you can't hear it; they're loud.

You then grabbed \$25 million from the homeless and put it in your pocket, because that's what one normally would say. You call that "putting it into general revenues as part of savings," as you would say. Minister, why are you grabbing \$25 million away from the homeless and shoving it in your own pocket?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** I thank the honourable member for the question, although he's extending his reach a little bit by dictating how I'm going to answer the question as well as how he's going to ask the question.

Be that as it may, I will put on the record, if the honourable member doesn't mind too much, some of the good news that is found in the federal-provincial agree-

ment which we've toiled so long and hard for. There was a bit of a hiccup because the federal government had to get re-elected, apparently, in 1997. It should have been in place for 1997. They had some political exigencies they wanted to take care of; I understand that.

But now we're in the position that the federal-provincial agreement is signed, and I can tell the honourable member in this House that we are very proud of the fact that \$30 million of that is going towards the capital stock for these rental units, for these low-income units in Ontario. We're very proud of that. We're very proud that \$50 million is going to up to 10,000 hard-working Ontario families who need rental supplements. We're proud of that too, and if the honourable member has a supplementary, I'll tell you another few things we're proud of as well.

**Mr Marchese:** Yes, I have a supplementary. I was trying to get him to avoid repeating what I knew he was going to say, but I want to tell him, you may have seen the stories about the debit card fraud. I'm sure you have. What happens there is that someone gives a crooked merchant a card to pay for the merchandise and the criminal skims off the top for himself. I call that fraud. A lot of people call that fraud. People are told to watch out for crooks who might be doing something like that, and if they're caught, under normal circumstances, they go to jail.

But when the minister comes along and skims money from the homeless, we are all supposed to happily or mercifully overlook it. Minister, why are you pocketing \$25 million instead of giving it to the municipalities so they can build non-profit housing that's desperately needed for the homeless?

**Hon Mr Clement:** As I was saying, another \$4 million is going to provincial tax grants for people who are in need. Another \$2.5 million is going to people with special needs. We are proud of those aspects of the federal-provincial agreement.

The honourable member is talking about \$25 million. Nothing can be further from the truth in terms of his accusations of skimming. That money is in a reserve fund for unforeseen contingencies, which is proper management and planning, something which the honourable member, when he was in government, obviously knew nothing about, because clearly when he had \$300 million going to consultants in fees over the 10 years of the Liberal and NDP regimes, when \$550 million was going to architects in fees, when lawyers were getting \$50 million in fees, I tell you, talk about skimming off the top. None of those people are obviously of that ilk, but clearly the money was not being spent for the people who genuinely needed it. That's what our government is all about. We are fixing the problem we inherited from his government.

1550

#### SPECIAL EDUCATION

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Education. Minister, I've



written to you repeatedly regarding the issue of special education funding, thanks to your new funding formula. I'm asking you today on behalf of all the parents who have written to us and given us very specific examples of the kind of support their children had in the classroom last year compared to what they now have today. In every case the support they have is less.

I want to tell you about a grade 5 student named Kristen. She goes to St Pius grade school. She went from having a one-on-one, full-time teaching assistant to no teaching assistant at all. She went from being able to keep up with her work to sitting in class bored, making holes in her clothes.

Minister, please address these parents and explain to them how, under your new funding formula, life is better for these children.

**Hon Janet Ecker (Minister of Education):** First of all I think it is important to stress that the reason we changed special education funding in this province was because it wasn't working. Students were not getting the supports they needed. Parents said that one of the problems they were seeing in some boards was that the money was being spent on other things as opposed to being spent on special education. So we started by protecting that funding, by topping up what boards were spending, by making changes that boards and parents recommended needed to be made in terms of how we fund that.

There are boards in this province that have more special education funding than they need. There are also boards in this province that provide programs, and there is dispute among the boards about whether they are good programs, whether they're spending money they shouldn't be spending, whether they should be doing it in a different way. We've had some parents say, "Put tighter rules on boards." We've had some boards say, "Give us more flexibility." All of that input is going into the decisions we are making about how we can continue to improve and to protect special education funding.

However, as the member well knows, the decisions about what a student needs in education—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

**Mrs Papatello:** Minister, I think you need to stand up and say, "We made a mistake." You need to say that our funding formula is not working well and you need to change this.

These are just some of the parents who have written and specifically itemized the support they no longer have in the classroom. The school boards do not have the same level of money for special education funding that they had before your new funding formula. It's very simple: These are specific case examples where the kids have less support in the classroom.

Minister, you may be well-intentioned, but I'm telling you that you are wrong. You're making errors and you need to fix this. How many cases do we need to bring into the House? How many cases do we need to have presented to you in letters? How many times does the board need to come to you and say, "Please, Minister, the

formula is not working"? Before Christmas, it would be nice for parents to have some kind of solace, knowing that things are going to get better in January. Please stand up and acknowledge that you've made a mistake and that you will fix this.

**Hon Mrs Ecker:** I am quite prepared to admit where a mistake has been made if a mistake has been made. But in this case I've been very careful when I've listened to the groups and the parents, and I've said: "Is this policy that we have, more dollars, what we want? Should we scrap it and start from scratch?" They have been very clear. They have said: "No, because we understand that the money needs to be protected. There need to be changes."

We are listening carefully to the input we have received from parents and boards, we recognize that additional changes need to be made and we will make those decisions when that input is there. Unfortunately, as the honourable member quite well knows, there is no consensus about what needs to be changed. Some boards are saying that they want more money; other boards are saying they've got more money than they need. Some people are saying that the programs are working; other people say the programs aren't. We are listening very carefully.

We will be making changes. We will be making decisions on this when we have the input that we think we need. This is an important support for students, and we do not want to rush quickly into something before the appropriate input has been received.

## SENTENCING

**Mr Bob Wood (London West):** My question is to the Attorney General. For some time the Ontario government, including the Ontario Crime Control Commission, has been asking the federal Liberals to tighten the Criminal Code in a number of areas, including the faint hope clause, which permits early parole for murderers; intermittent sentencing, which causes significant problems in our correctional institutions; and conditional sentencing, which has resulted in inadequate sentences for some offenders.

The minister recently attended a federal-provincial conference on justice issues to ask again for action. Does he think the federal government is going to act on any of these concerns?

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** I want to thank the member for London West for the question. This is about truth in sentencing. The people in Ontario demand sentences that deter crime and protect the public. I brought forward a resolution at the justice ministers' meeting in Vancouver in that regard, asking for fundamental changes in the way our criminals are sentenced under the Criminal Code. Sentences must mean what they say. They must take into account the impact that violent crime has on victims and on families.

From the federal government we got a lot of talk but, as usual, little action. They shelved our proposal for

further study. This is a proposal; this is getting rid of the discount law that automatically discounts sentences given by judges to convicted criminals. We suggested the imposition of mandatory minimum sentences for repeat serious offences committed against people, like sexual assault, assault causing bodily harm, and robbery, and we suggested an amendment prohibiting conditional sentences for violent criminals.

**Mr Garry J. Guzzo (Ottawa West-Nepean):** On a point of order, Mr Speaker: I rise to underline the importance of this question and this answer and the very valuable asset we have in the gallery, a member of the federal House, who could very well take this information back to his leader—

**The Speaker (Hon Gary Carr):** Will the member take his seat, please. It's not a point of order.

**Mr Wood:** Ontario has also called for tightening the Young Offenders Act, including less opportunity for young offenders to seek anonymity behind the act, treating as adults those over 16 who commit violent offences, and lowering the minimum age for prosecution of serious offenders to age 10. I'm sure the minister raised these issues at the federal-provincial conference. Has the minister received any assurance that there will be changes enacted to the YOA in the coming year?

**Hon Mr Flaherty:** As members of this House know, violent youth crime is a very serious matter in Toronto, in Ontario and across Canada. The reality is that the rate of violent youth crime is up about 77% in the past 10 years in Canada and that the young offender system is a failure. Not only is the rate of violent youth crime going up but also the rate of recidivism remains high in Canada. So on both objective measures, the Young Offenders Act is a failure.

Failing to change the Young Offenders Act is a disgrace. The Youth Criminal Justice Act is the same old Young Offenders Act with a new cover. The federal bill would allow violent offenders, even a 17-year-old murderer, even an armed robber, not to be automatically tried as adults in adult court for adult crimes.

At the meeting of justice ministers, both Ontario and Quebec agreed that the proposed changes to the Young Offenders Act must be stopped. Victims of crime deserve better. The federal government does not get it. They show a blatant disregard for the public's wishes. I will continue to push the feds on this issue. Ontario is doing its part to keep Canadians safe—

**The Speaker:** The Attorney General's time is up.

#### SPECIAL EDUCATION

**Mrs Marie Bountrogianni (Hamilton Mountain):** My question is for the Minister of Education. We've repeatedly called upon you to do something about the dysfunctional special education funding formula. It's hurting special-needs students across this province. We've highlighted individual cases today and other days and specific school boards like the Hamilton-Wentworth District School Board, which, in spite of scraping funds from other areas of their budgets, still have students

unable to attend school. Nothing has been done. Nothing has changed.

Sean Logan is a 15-year-old student in Hamilton who suffers from Tourette's syndrome. He's bright and articulate and he's not in school. This is neglect. Joshua Whitelaw is another student who is in school only half-time, with an educational assistant who is paid for by his parents. Their resources are quickly getting depleted.

Special education funding is frozen at 1998-99 levels. The consequence of this in Hamilton is that 651 new ISA fund forms were not acknowledged. You asked for advice, Minister, some useful advice. Don't ignore 651 kids in Hamilton. What will you do for Sean Logan, for Joshua Whitelaw? What will you do for all the special education children across this province who are still not in school a week before Christmas?

1600

**Hon Janet Ecker (Minister of Education):** First of all, special education funding in this province was not frozen this year. As a matter of fact, it was increased by another \$30 million for school boards because we knew they would need more money this year. They got more money this year. Is it not enough? Well, that is the constant debate between ministers of education of all political stripes and school boards.

Second, I'd also like to correct the honourable member that no one is ignoring the input we are receiving, but I'm sure she would agree that the last thing that should occur is for this government to scrap a policy that boards and parents are saying to us is correct. There need to be some changes. We understand that. We are prepared to make changes. But I would suggest to the honourable member that the changes should be the right ones.

Finally, as she well knows, the decisions about what a student gets in terms of supports are in the annual education plan—

**The Speaker (Hon Gary Carr):** Order. The minister's time is up.

Supplementary.

**Mr Michael Gravelle (Thunder Bay-Superior North):** Minister, my colleague from Parkdale-High Park brought this up earlier in question period. Our worst fears were confirmed last week when the Thunder Bay Catholic District School Board was forced to give layoff notices to 15 support persons because no further funding for special education was received from the government and the reserve funds they've been using to simply keep going ran out.

Let me tell you how this affects a young boy and his family in my riding. Christian Ferris is a 10-year-old boy with Asberger syndrome who attends Our Lady of Charity School in Thunder Bay. The fact is, the only way Christian can learn is to have the constant reassuring presence of a support person. Before Christian finally received ISA funding this past spring, his mother had to attend school with him to ensure that his basic human needs were met. Since that time, the stress level and workload for the family has been dramatically reduced and, in the words of Christian's teacher, "He began to blossom," but now, thanks to your government's



callousness, his funding is gone. After Christmas, his support person will be gone.

Minister, what do you have to say to Christian's family? Why do you insist on withdrawing support for Christian and so many others who need and deserve this support? There's no question about it, Minister; you need to help.

**Hon Mrs Ecker:** Of course we know that we need to help boards. That's why we started with how much they said they spent. We topped up last year; we're topping up this year. We are spending more money. But unless the honourable member is suggesting that the bureaucrats at Queen's Park should be making the decisions about what is appropriate for that individual in terms of their support, he should say so, because that is certainly not our policy. We understand that parents and the school board officials must work out, in terms of the annual education plan, what that student needs.

We have the greatest of respect for parents who are caring for disabled children at home. We are quite prepared to make changes in this. We have said that, and we are prepared to move forward.

But it is really interesting that the hiring decisions and all of those—the boards knew exactly what they were going to get this year. They knew exactly how the policy would work this year, because they asked for some of the changes that we are making this year. And now they're claiming—

**The Speaker:** Order. The minister's time is up.

## VISITOR

**The Speaker (Hon Gary Carr):** Just before we proceed, I'd like to welcome in the members' west gallery the federal member, M. Bélanger, the MP for Ottawa-Vanier.

Pursuant to standing order 30(b), I am now required to interrupt the proceedings and go to orders of the day.

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: Several of us have important petitions to present to the Legislature on what could be, possibly, the last day of the Legislature sitting. I would request unanimous consent to have the Legislature hear petitions for the regular 15 minutes.

**The Speaker:** Is there unanimous consent? I heard some noes.

## ORDERS OF THE DAY

### FEWER MUNICIPAL POLITICIANS ACT, 1999

#### LOI DE 1999 RÉDUISANT LE NOMBRE DE CONSEILLERS MUNICIPAUX

Resuming the debate adjourned on December 15, 1999, on the motion for second reading of Bill 25, An Act to provide for the restructuring of four regional

municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services / Projet de loi 25, Loi prévoyant la restructuration de quatre municipalités régionales et modifiant la Loi sur les municipalités et diverses autres lois en ce qui a trait aux restructurations municipales et aux services municipaux d'électricité.

**The Speaker (Hon Gary Carr):** Pursuant to the order of the House of December 16, 1999, I am now required to put the question.

On December 13, Mr Clement moved second reading of Bill 25.

Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1605 to 1610.*

**The Speaker:** All those in favour of the motion will please rise one at a time to be recognized by the Clerk.

## Ayes

Arnott, Ted	Hastings, John	Palladini, Al
Baird, John R.	Hodgson, Chris	Runciman, Robert W.
Barrett, Toby	Hudak, Tim	Sampson, Rob
Chudleigh, Ted	Jackson, Cameron	Snobelen, John
Clement, Tony	Johns, Helen	Spina, Joseph
Coburn, Brian	Johnson, Bert	Sterling, Norman W.
Cunningham, Dianne	Klees, Frank	Stewart, R. Gary
DeFaria, Carl	Marland, Margaret	Stockwell, Chris
Dunlop, Garfield	Martiniuk, Gerry	Tascona, Joseph N.
Ecker, Janet	Maves, Bart	Tilson, David
Elliott, Brenda	Mazzilli, Frank	Tsubouchi, David H.
Eves, Ernie L.	Molinari, Tina R.	Tumbull, David
Flaherty, Jim	Munro, Julia	Wettlaufer, Wayne
Galt, Doug	Murdoch, Bill	Wilson, Jim
Gilchrist, Steve	Mushinski, Marilyn	Wood, Bob
Gill, Raminder	Newman, Dan	Young, David
Guzzo, Garry J.	O'Toole, John	
Hardeman, Ernie	Ouellette, Jerry J.	

**The Speaker:** All those opposed to the motion will please rise one at a time to be recognized by the Clerk.

## Nays

Agostino, Dominic	Crozier, Bruce	Martel, Shelley
Bartolucci, Rick	Curling, Alvin	McGuinty, Dalton
Bisson, Gilles	Di Cocco, Caroline	McLeod, Lyn
Bountrogianni, Marie	Duncan, Dwight	Parsons, Ernie
Boyer, Claudette	Gerretsen, John	Patten, Richard
Bradley, James J.	Gravelle, Michael	Peters, Steve
Brown, Michael A.	Hoy, Pat	Phillips, Gerry
Christopherson, David	Kormos, Peter	Pupatello, Sandra
Churley, Marilyn	Kwinter, Monte	Ramsay, David
Clark, Brad	Lalonde, Jean-Marc	Ruprecht, Tony
Colle, Mike	Lankin, Frances	Sergio, Mario
Conway, Sean G.	Levac, David	Skanica, Toni
Cordiano, Joseph	Marchese, Rosario	Smitherman, George

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 52; the nays are 39.

**The Speaker:** I declare the motion carried.

Pursuant to the order of the House of December 16, 1999, the bill is ordered for third reading.

Orders of the day.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** Mr Speaker, notwithstanding standing order 68(a), I seek unanimous consent to call second reading of Bill 39, An Act respecting the University of Ottawa Heart Institute.

**The Speaker:** Unanimous agreement? Agreed.

UNIVERSITY OF OTTAWA  
HEART INSTITUTE ACT, 1999

LOI DE 1999 SUR  
L'INSTITUT DE CARDIOLOGIE  
DE L'UNIVERSITÉ D'OTTAWA

Mr Newman, on behalf of Mrs Witmer, moved second reading of the following bill:

Bill 39, An Act respecting the University of Ottawa Heart Institute / Projet de loi 39, Loi concernant l'Institut de cardiologie de l'Université d'Ottawa.

**Mr Dan Newman (Scarborough Southwest):** I rise today in support of Bill 39, the University of Ottawa Heart Institute Act. If passed by the Legislative Assembly, this bill will permit the University of Ottawa Heart Institute to provide much-needed cardiac services to the patients of the Ottawa Hospital, serving the people of the Ottawa-Carleton area.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: I was under the impression that there was unanimous consent to allow this bill to go through so that we could debate more important matters. This is a matter there is no disagreement on. We could debate something important like the Environmental Commissioner. I was under the impression that this was going to be done on unanimous consent, all three readings.

**The Speaker (Hon Gary Carr):** I'm not aware of—the member for Hamilton West.

**Mr David Christopherson (Hamilton West):** Speaker, as one of the House leaders, I'm not aware of any agreement that said there would be unanimous consent to put this through without any comments whatsoever. We indeed have some comments that we intend to put on the record.

**The Speaker:** The member for Scarborough Southwest may continue.

**Mr Newman:** Beginning on April 1, 2000, the Ministry of Health and Long-Term Care will be permitted to directly fund the institute. It's important to note that this date will correspond with the start of the 2000-01 fiscal year. It will authorize the minister to pay grants, make loans and provide financial assistance directly to the institute on the same terms and conditions that are applicable to public hospitals. This act will require that the institute comply with the same requirements, policies and procedures that public hospitals are required to

comply with in order to obtain grants, loans and financial assistance under the Public Hospitals Act.

The University of Ottawa Heart Institute is engaged in a wide range of activities, including research, development and application of cardiac treatment technologies. The institute expressed concerns that without a direct funding relationship with the Ministry of Health and Long-Term Care, its research and development interests might be subject to arbitrary funding adjustments by the Ottawa Hospital. It was feared that this could have had the potential to force the institute to direct funds from its research and development budget to patient services.

Last month, after considerable consultation and dialogue, the University of Ottawa Heart Institute and the Ottawa Hospital formalized a service agreement for the institute's subsidiary relationship. This arrangement outlines the organizational and financial arrangements as well as the mandate, responsibilities and quality expectation between the Ottawa Hospital and the institute. It is important to note that this arrangement will have no impact on the governance structure of either the Ottawa Hospital or the University of Ottawa Heart Institute. The agreement complies with the recommendations of the Health Services Restructuring Commission. It should also be noted that the Ministry of Health and Long-Term Care has provided the Ottawa Hospital with \$5.8 million in one-time funding for the heart institute's allocation.

The University of Ottawa Heart Institute Act is a further commitment by the government and by the Ministry of Health and Long-Term Care to expand and enhance cardiac care services across Ontario. Since 1995, the government has invested more than \$97 million in funding for front-line services for cardiac care patients across the province. This investment has resulted in an increase of more than 50% in the numbers of procedures performed. On an annual basis, this investment has meant 4,200 more cardiac surgery procedures and almost 20,000 additional cardiac management cases, which include catheterizations, angioplasties, stents, pacemakers and implantable defibrillators.

This act, if passed, is good news for the people of Ottawa-Carleton and indeed good news for the people of Ontario. It ensures that the outstanding work of the University of Ottawa Heart Institute will be maximized and harnessed through the Ottawa Hospital to the benefit of cardiac patients.

As we enter the new millennium, this act is indeed an auspicious start for the people of Ottawa-Carleton, who will directly and indirectly benefit from these cardiac services.

I strongly support Bill 39 and urge its passage today.

**The Deputy Speaker (Mr Bert Johnson):** Questions or comments? Further debate?

1620

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** It's not my intention to prolong the debate this afternoon, although I want to assure you that it's very difficult, as the health critic for the opposition, to have an opportunity to do a leadoff speech on a piece of health legislation and



not take full advantage of the hour that would have been afforded to me to discuss the situation relating to health care in the province of Ontario. I am going to waive that privilege in recognition of the fact that there are many pieces of business before the House at present and because we do in fact support this particular piece of legislation. It's a somewhat unusual occurrence in the House that the opposition would be rising in support of a piece of government legislation, and the fact that we do so on this is a clear recognition of our respect for the pioneering role that has been played by the University of Ottawa Heart Institute, both in its research and in the treatment of patients.

It's important that we recognize the kind of leading-edge work that has been done by Dr Keon in establishing the heart institute and in pioneering heart transplants in this country. We think this is a reason to be extremely proud of the Canadian health care system and of the work that can be done when it is well supported with research and with the quality of research that Dr Keon has brought to it. My understanding of the legislation that's before the House is that it quite clearly brings into affiliation with the Ottawa Hospital the heart institute.

I regret the fact that this bill has been called essentially without notice, because I think it did deserve some attention in terms of the specifics of the bill. Although we are in support of the legislation that has been brought forward, there are a number of questions I would have liked to be able to place to the government, a number of issues which I would have liked to have clarified; in fact, issues that I particularly would have liked to have clarified, given the introductory comments that the minister's parliamentary assistant has made today.

I am a little bit surprised that the statement was made that this in no way in changes the governance structure. That statement may have been made because of some of the concerns that have perhaps surfaced that in some way this changes the governance structure of the heart institute in such a manner that it would allow for greater private sector control or private sector participation. In reading the legislation, it is my understanding that that is not the case and that was not going to be one of the concerns that I would raise about the legislation. But perhaps that's why the parliamentary assistant thought it was important to bring forward a statement that says that this in no changes the governance of the heart institute.

I would submit that it does in some ways change the governance of the heart institute, because the legislation is very specific about bringing the Heart Institute under the Minister of Health and Long-Term Care's authorization to pay grants, make loans and provide financial assistance directly to the institute on the same terms and subject to the same requirements that are applicable to public hospitals under the Public Hospitals Act. I don't believe that the Public Hospitals Act in this way applied to the University of Ottawa Heart Institute prior to this legislation being introduced and prior to its passage. If I am in error on that, I would have appreciated some opportunity for clarification.

My only comments and concerns, had I been ready to take advantage of the hour that would be given me to make a leadoff speech on this subject, are that I would want to address the very real concerns I have that apply to all hospitals which are subject to the governance of the minister under the Public Hospitals Act and under the specific changes to the Public Hospitals Act that were introduced in Bill 26 and to the extension of powers that were granted under Bill 26 and Bill 23, which this House passed last week, which extends the powers—incredibly sweeping, unprecedented powers—given to the Minister of Health to micromanage public hospitals, to restructure, to amalgamate, to close public hospitals, to take over boards of governors of public hospitals, that those powers under Bill 23 were extended for another five years. I would have welcomed some further opportunity to have a discussion about whether that kind of micromanagement control which is now being extended to the University of Ottawa Heart Institute is really in the best interests of the institute and indeed of public hospitals and the public community management of our hospitals across the province.

However, since we do respect that this legislation comes forward in agreement between the heart institute, the University of Ottawa and the Ottawa Hospital, and because we on those grounds will support the legislation, I will waive my opportunity both to raise my concerns about these aspects of the Public Hospitals Act, and obviously I have no opportunity to seek that clarification from the parliamentary assistant. So our caucus will be supporting the legislation without further debate.

**The Deputy Speaker:** Questions or comments? Further debate?

**Ms Frances Lankin (Beaches-East York):** I'm pleased to have an opportunity to speak to this bill. But, like my colleague the health critic for the Liberal Party, I do put on the record my concern that yet again an important piece of legislation, the intent of which I fully support, is coming through the House and being given short shrift in terms of the democratic process, in terms of an opportunity to examine some of the specific provisions.

For example, I think the provision in this bill that gives the Minister of Health the power to pay funds and grants and loans to the institute, if she feels it is appropriate to do that in the interests of the public, is a change in financial accountability, and one that I would say is welcome. The terms and conditions the minister may apply to that are not clear, because we have not had an opportunity to explore the actual language of the bill or to have questions and answers with the parliamentary assistant through any kind of committee process involving members of the public, particularly from the two institutions affected. The extent to which the joint partnerships with private sector investment in support of the research that's being done—some of the leading-edge research on the implantable heart pump and some of what will necessarily flow from that in terms of manufacturing processes and the investments in that—is not clear. It's

not clear whether the terms and conditions the minister may impose, which would normally be set out under the provisions of the Public Hospitals Act, are appropriate in this circumstance, or whether it gives the minister enough leeway to put on the appropriate terms and conditions to safeguard against some of the concerns that my Liberal colleague referred to with respect to private sector involvement and control of direction of the institute.

Those are things that I think all of us would be concerned about. All of us will want to make sure the appropriate powers rest with the minister to satisfy public concern around those issues. One can only hope the government has given itself enough scope. But all too many times in this Legislature we have seen pieces of legislation that have been hastily drafted, rushed through a process like this with inappropriate examination, and then the government finds there are problems and we're left trying to fix the problems after the fact. I think we are potentially in that situation again, and I regret that the government's continued, I believe, mismanagement of the democratic process in the Parliament of Ontario leaves us unable to do our job as legislators in safeguarding the public interest.

May I say that the work of the Ottawa Heart Institute is world-renowned. It is an institution to be cherished and celebrated in its successes in the province of Ontario. I had the incredible honour to tour the heart institute a number of years ago. I spent a considerable amount of time, most of a day, with Dr Keon and his staff, as we looked at the state then of development of the implantable heart pump. I was Minister of Health at the time. We met with the research team and saw the actual research as it was proceeding. We also met with a number of private sector partners, potential investors. Of course, one of the things we know is that the support for the research being done there is in the first instance a public sector initiative, but eventually this will become a medical implement, a medical instrument, a product that will need to be manufactured. I think the tremendous opportunities which are now proceeding—to see the development of that and the development of the manufacturing capacity and the intellectual technical capacity maintained within Canadian businesses and Canadian corporations is a very exciting development. It is one that I was fully supportive of as Minister of Health and as Minister of Economic Development and Trade following that.

I think the work that has been done by Dr Keon and his staff is worthy of tribute from all members of this Legislature and of our thanks on behalf of the public of Ontario.

I note that the parliamentary assistant went on to make a number of comments about the government's record on cardiac care in general. He just couldn't resist that opportunity. Neither can I; what can I say? You mentioned investments that the government had made. I want to tell you about an investment I had a very recent experience with, with Toronto East General Hospital, the hospital which serves the population in the riding I represent—

### *Interjection.*

**Ms Lankin:** —and the parliamentary assistant as well. You will be most interested in this, and I now expect you are going to follow up and help me do something about this. The government had given approval for the Toronto East General Hospital, which the member will know has very active, well-established and respected cardiac care and acute cardiac coronary units.

1630

The interesting thing that has happened is that the government had given approval for the development of a catheter lab. You might know that in the process of exploring the health status of a person's heart, a procedure called an angiogram is often undergone. That takes certain technological facilities, a catheter lab. Well, the space is there. The equipment is there. All the approvals are there. All of a sudden, last minute, the ministry has held off on the operating approval to proceed. So we have five cardiologists there. We have a coronary care unit, an acute care cardiac unit, and we have five cardiologists who do angiograms, none of whom can do them at their own practising hospitals. They all have to go to Sunnybrook or to St Mike's or to other hospitals where there are agreements, and their patients have to be transferred there.

How do I know this? Indulge me for a moment. Two weeks ago I entered our health system yet again, this time through emergency. Two days before Black Monday, thank goodness, I was lying in a hospital bed listening to all the code zeroes, as the hospital was on critical care bypass for that whole period of time. The initial diagnosis was that there was a complication of some sort regarding the heart. I'm glad to say that that in fact was proven, through the process of an angiogram, to be incorrect. The gall bladder is gone; I'm fine.

But back to the heart issue.

**Mr Christopherson:** Now you have no gall.

**Ms Lankin:** Yes, this is now a member with no gall. If you believe that, I've got some swampland in Florida for you.

The process of tests, however, that one undergoes, including an angiogram, led me to the discovery of this problem for Toronto East General. I had to be transferred out of Toronto East General—it was an ambulance transfer, and these days, when all of the ambulances were going around the city and everything was backed up, an unnecessary transfer like this was imposed on the system because of this—over to Toronto Western to have the angiogram and to be brought back later that day, again a non-urgent medical transfer to be made. There is no reason for us to be in this situation where literally hundreds of thousands of dollars have been spent on the equipment for this catheter lab sitting there at Toronto East General, and on top of that, all of the approvals—capital improvements and expenditures—for the changes in the surgical and laboratory rooms having been done, and now not proceeding.

I ask the parliamentary assistant, given his boastful comments about their attention to the state of cardiac



care, to please look into this. He has an interest, as I do. There are many seniors in the communities that we represent. It's one of the highest-percentage areas up in East York and in parts of his riding and my riding. They rely on this hospital as their home hospital. It has a fabulous, I can tell you first-hand, cardiology staff there, incredible staff who are in the acute cardiac unit where I was, and in the accompanying coronary care unit. They need to be able to do their work with their patients within their own hospital, and to stop this game of using up resources in an inappropriate way of transferring people from place to place to place to get the necessary tests, to proceed in a timely fashion to make decisions about patients' care.

I return to the bill at hand. The possibilities that are unfolding with the research that has been done at this institute with respect to the implantable heart pump, what it means for patient care, what it means for increased life expectancy, what it means for the intellectual and technological development of our capacity, in the university sector and the medical sector and the manufacturing sector, and what it means in the long run for the potential establishment of manufacturing facilities and jobs, are quite incredible. I think that one of things we have seen develop over the last five years is the need, as this product comes closer to a point in time where it is ready to enter the market, for the institute to have enough financial autonomy and independence to be able to work out the kinds of private and public partnerships that will advance the research and advance the actual movement to manufacturing and movement of product to market. It's an incredible opportunity.

While I regret that there are some specifics here that we will have to keep our eye on after the fact and hope that we won't have to come back to make corrections, as we've seen in many other bills, I think the intent of what we're trying to do here, an intent which is supported by all three parties in the Legislature, an intent which comes out of a consensus that has developed over time over the last five years in the Ottawa health and academic community, is the appropriate intent. It is good public policy; it is evolutionary, not revolutionary; and I think the time has come.

Again, my comments of both congratulations and great thanks to the pioneering work of that staff under the leadership of Dr Keon over all of these years.

**The Deputy Speaker:** Further debate?

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I just want to be very brief in this and indicate my support for this bill, the University of Ottawa Heart Institute Act.

It's been a long time since Willy Keon talked to me and other members of the Ottawa caucus and the Ottawa MPPs, not only from our party but from other parties, about the need for some autonomy away from the Civic hospital. Dr Keon and his associates have built the University of Ottawa Heart Institute to be a world-class institute.

Dr Keon, as you know, has had some recent trouble with regard to what I would call an indiscretion back home and my heart goes out to Dr Keon and his family, who I know very well and who reside in the area that I represent.

Dr Keon has tremendous respect in our community. He's a guy who has worked unbelievably hard for the people of Ottawa-Carleton. I phoned Dr Keon and asked him if he wanted us to go ahead with this bill. I suspected what his answer would be, and his answer was: "Of course. The institute is much more important than any kind of notoriety that it might bring to me" at this very difficult time that he and his family are going through.

I just want to say on behalf of myself and my constituents, and many other people in the Ottawa-Carleton area, how much they do appreciate his hard work in bringing this institute to the stage it is now in and how proper it is that we go ahead and support this bill at this time. I think it will lead to even greater things in terms of the care of people, not only in the Ottawa region but in all of Ontario and perhaps in the world because they are doing some leading-edge research in the area of mechanical hearts, in terms of heart transplants, in terms of all of the heart surgery that so many of us are susceptible to.

So I want to indicate my full support for not only this bill but for my good friend Willy Keon and his family at this time.

**Mr Richard Patten (Ottawa Centre):** I'd like to share my time with the member for Renfrew-Nipissing-Pembroke.

The heart institute is located in my riding and I'm very proud of the history of the heart institute. As members have already cited, the institute is world renowned. It is connected to not only a national but an international network of the most advanced research in the field of heart transplant and in the field of cardiac surgery.

It used to do far more pediatric work, and I know this because when I was with the children's hospital for a period of time we did have some dealings with the institute. It has a very strong fundraising arm and it is supported greatly in the community. It is the only other group outside of the children's hospital that has a telethon and is able to essentially raise millions of dollars. So the recognition locally and the recognition internationally is without doubt extremely high.

1640

I also want to take this opportunity to extend to Willy Keon and his wife, Anne, my sympathies at this particular time for the difficult period through which they are going at the moment. We have had numerous representations, by the way, and also articles in the paper and letters to the editor that Willy stay on as a director of the institute. I gather he stays on as a surgeon in any case. My hope is that he would reconsider that.

Thank you for the opportunity to add my name in support of this particular bill. It is long overdue in many ways, and clearly the relationship with the hospital and its funding arrangement will be clearer. It is a specialty

hospital, as you know, because it is an institute, and because of that I think this should add to the clarity of relationships between itself, the hospital the university and the government.

**Mr Sean G. Conway (Renfrew-Nipissing-Pembroke):** I want to take a few brief moments this afternoon to lend my support to Bill 39. I had the opportunity in the last couple of weeks to speak to Dr Keon about what was intended with this legislation. He, in this matter, as in so many others, was diligent to reach out to members of the community, including members of the Legislature and members of Parliament, to make sure that we understood what his hope and prayer was for the institute. Many of us in the region certainly were contacted, and I wanted to simply take this opportunity this afternoon to make it clear that, like my colleagues Mrs McLeod, Dalton McGuinty and the other members of the Liberal caucus, I support the principle of Bill 39.

For those of us from eastern Ontario, it is more than just Bill 39, as the government House leader rightly observed, and it is appropriate, quite frankly, that we have this legislation at this time, because I think it is necessary for members from the eastern part of the region to speak directly to the incredible work that Dr Keon and the staff at the heart institute have done.

I look across the aisle this afternoon and I see my good friend Judge Guzzo, who is here, and I hope the member from Ottawa West is going to have perhaps a brief comment, because he is one of hundreds and thousands of people from the province and from the country who have had the benefit of the marvellous health care and the pioneering technology that has been developed at the heart institute.

Let me tell you that my constituents in the Ottawa Valley would expect me to stand here today and say categorically how much they have appreciated what Dr Keon and his staff have done at the heart institute over these past number of years and decades. They would agree absolutely with what Mr Sterling said a moment ago. We are all deeply saddened by the difficulties that have attached to Dr Keon in the last few days. It is not for me to stand here today and pass any judgment on what happened on that occasion a few weeks ago. But it is for me to stand here today to say to this assembly and through this assembly to Dr Keon and the good people at the heart institute that we deeply value what you have done. We cherish the leadership that you, Wilbert Keon, have provided to that institute.

Dr Keon is the product of the rural upper Ottawa Valley. He comes from a little place called Sheenboro, just across from Pembroke, in the Pontiac region of the upper Ottawa Valley; a farm boy who came from a large family who has established for himself a remarkable career, a career that has been enormously successful. He stayed in Ottawa and stayed in Canada to develop that heart institute and thereby turned away a number of very lucrative offers to leave the country and to enhance his pocketbook and perhaps his reputation in the United States or in the wider world.

Dr Keon's loyalty was to his community, his province and his country. People in communities like Pembroke, Renfrew, Fort Coulonge, Chapeau, Sheenboro, Barry's Bay and Palmer Rapids are enormously grateful for what he has done—not just at the institute, not just on the operating table. Over the 24½ years that I've been in this chamber, I can tell you I have gone on winter nights to fundraising events in Chapeau, Pembroke and Renfrew and a host of other rural communities, small communities in eastern Ontario and western Quebec, and who was there, after a long, tough day in the operating room or at the institute, but Wilbert Keon? He never forgot who he was, where he came from. He ministered to the people I represent in a way that has been absolutely exemplary. If members wonder why there is such sadness, it is because it is hard for us to imagine a greater icon, someone who represents the absolute pinnacle of public service, than Wilbert Keon.

He was, as I said, just a few short days ago, on the phone to me talking about why he felt it was appropriate public policy for Bill 39 to be enacted. I cannot tell you the sadness I felt, the incredulity I felt the other night when my friend Garry Guzzo came to tell me what had broken on the evening news in Ottawa whenever that was, just a couple of days ago.

Today's Ottawa Citizen has yet more letters. I see Judge Poulin has written to the Citizen today, as has the mayor of Ottawa. The overwhelming theme of the public outpouring in the last few days, whether it's in the Ottawa Citizen or in the Pembroke Observer or in the Eganville Leader, is, "Wilbert Keon, we cherish what you have done, we value your leadership at the institute and we want you to carry on."

On behalf of the people I represent in Renfrew-Nipissing-Pembroke, I simply want to say that I stand here proudly today to support the passage of Bill 39. Perhaps even more importantly, I want to say unequivocally how much I value the contribution that Dr Keon has made to cardiac care, not just in the national capital but across the country, and how much I value his friendship over a long period of time. I want him to know that these are, I know, difficult and painful moments, but we want to say—certainly I want to say, on behalf of my constituents—that I hope he will continue to make in the future the kind of contribution to health care and community leadership that he has made so splendidly over a long period of time.

**The Deputy Speaker:** Mr Newman has moved second reading of Bill 39, An Act respecting the University of Ottawa Heart Institute. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. There will be up to a 30-minute bell.

*The division bells rang from 1648 to 1651.*



**The Deputy Speaker:** "Pursuant to standing order 28(h), I'd like to request that the vote on Bill 39 be deferred until Tuesday, December 21, 1999.

"Hon Frank Klees, chief government whip."

So be it.

**SERGEANT RICK McDONALD**

**MEMORIAL ACT**

**(SUSPECT APPREHENSION**

**PURSUIITS), 1999**

**LOI DE 1999 COMMÉMORANT**

**LE SERGENT RICK McDONALD**

**(POURSUITES EN VUE D'APPRÉHENDER**

**DES SUSPECTS)**

Mr Tsubouchi moved third reading of the following bill:

Bill 22, An Act in memory of Sergeant Rick McDonald to amend the Highway Traffic Act in respect of suspect apprehension pursuits / Projet de loi 22, Loi commémorant le sergent Rick McDonald et modifiant le Code de la route en ce qui concerne les poursuites en vue d'appréhender des suspects.

**Hon David H. Tsubouchi (Solicitor General):** As we all know, this bill is intended to bring some accountability into situations where a criminal is trying to escape from the police. For the last several years a number of incidents have occurred. The difficulty is that the proper blame has not been put on the criminal.

This bill is intended to bring back some accountability into the system to make sure there is a real possibility of suspension for life of someone's licence if they kill or disable someone in the course of trying to escape from the police.

This bill is also in memory of Sergeant Rick McDonald, who was tragically killed in Sudbury in one of these incidents. Something that I found was important to the family of Rick McDonald, his friends and his colleagues on the Sudbury Regional Police Service was that we name this bill after Rick McDonald.

After talking to Rick McDonald's wife, Corinne, I know she felt that if some good could possibly come out of this tragic situation, she would feel a little better about it. It wouldn't bring her husband back, it couldn't bring back all the innocent victims who have suffered as a result of a criminal trying to escape from the police, but what it could do is bring some accountability back.

This is only part of their job. This bill brings some accountability and licence suspensions and penalties, but the really important part of this bill has to occur through the federal government. I believe it's important for them to step up to the plate and bring some real accountability in terms of prison time to criminals who try to escape from the police.

**The Deputy Speaker (Mr Bert Johnson):** Questions or comments?

**Mr Peter Kormos (Niagara Centre):** I am pleased that this bill is being called for third reading. We had told

the government, the Solicitor General and his parliamentary assistant, Mr Mazzilli, who has been representing the Solicitor General's interests in committee with respect to this matter, that we were eager to see this bill presented not only for second reading but also for third reading before the Christmas holidays, before this Legislature breaks for Christmas.

There are some practical, pragmatic reasons that I intend to speak to when I get a chance to speak to this bill. We're going to be supporting the legislation, no two ways about it. I've indicated that from day one.

I will also be talking about other facets to this whole issue that warrant address by this government and facets that, I acknowledge, partly because of the relative speed with which the government wanted to proceed with this bill, were omitted, but facets that I suspect may well be in part due to the failure of this government to adopt a broad-based approach to proper, adequate responses to crime.

So what happens now, you see, is that the Liberals will get to speak to the bill and then I'll have to wait until they're finished before I speak to the bill. We're going to try to do that before 6 o'clock—it's around five to 5 now—but very much wanting to get a chance to speak to this bill before 6 o'clock. I'll have the lead-off statement. I'm probably going to be sharing that with at least Shelley Martel and other members of the caucus, who are making every effort to be here, because caucus is spread thin. They're doing other work. This whole caucus supports this legislation. But by all means, Ms Martel has made a commitment to be here; she, of course, from up in the Nickel Belt, Sudbury area. I'll be speaking to it. If Ms Martel has a chance, she'll be speaking to it too. I look forward to that.

**The Deputy Speaker:** Comments and questions?

**Mr John Gerretsen (Kingston and the Islands):** I have a specific question I'd like to address to the Solicitor General. I wonder if he could answer that question in his response. I would like to know how many charges have actually been laid or whether he's got any statistics as to how many charges have actually been laid under the current section 216.

It's certainly correct to say that this bill has had a very positive response with the general public. On the other hand, however, I don't think the general public ought to be deluded into thinking that this is going to resolve all of the problems surrounding this issue. My question to him is, since the intent of the bill is basically to increase the fine level from \$1,000 to \$5,000 and to \$10,000, have charges actually been laid under section 216 of the current Highway Traffic Act? It's a very simple question. If he has that information, I'd like him to provide that to the House.

**The Deputy Speaker:** The Chair recognizes the Solicitor General for a two-minute response.

**Hon Mr Tsubouchi:** First of all, I want to thank all the members of this House for their co-operation throughout the debate on this bill. It appears that there's a

fair amount of support on both sides of the House for what I consider a very important bill.

I certainly hope, due to the seriousness, that all of us can support a speedy passage of this bill, as it has received co-operation throughout.

**The Deputy Speaker:** Further debate?

**Mr Rick Bartolucci (Sudbury):** Speaker, I'll be splitting my time with the member for Brant and the member for Kingston and the Islands.

I would like first of all to acknowledge that the Solicitor General did live up to his word that he gave to the families, to the Sudbury Regional Police Service and to myself the day of Rick McDonald's funeral, that he would bring in legislation. It was his hope, it was our hope, it was Corinne McDonald's hope, it was Mr and Mrs McDonald's hope, it was the hope of the Sudbury Regional Police Association and it was the hope of the Police Association of Ontario that this bill would become law before Christmas. It would appear that is going to happen either today or tomorrow.

I would have hoped, in all sincerity, that this bill would have been law a lot earlier. However, given the making of this place and given the dynamics of this place and given how this place sometimes goes from the sublime to the ridiculous, this bill has not been passed yet. It will be passed either today or tomorrow.

I would hope that it would provide some type of closure, in even a minuscule way, to the McDonald family, to Corinne Fewester McDonald, to Rick's brothers and sisters. It's important, as well, that we recognize that the Sudbury Regional Police Association, in fact all policemen across Ontario, need closure as well. I hope this happens.

1700

At the same time, I must at this point in time bring to the attention of the House and the people of Ontario that there is still much work to be done in order to protect our police force, those gentlemen and ladies who serve and protect, but also to protect the public. Certainly our critic will be speaking to that a little later on, as will the member for Kingston and the Islands, but I'd just like to highlight one bill that Rick McDonald worked very closely with me on. He worked with his wife on it and he worked with the Sudbury Regional Police Association, the Police Association of Ontario and the Ontario Association of Chiefs of Police. That is Bill 6, formerly Bill 18 in the last Legislature, An Act to protect Children involved in Prostitution.

If in fact we're very serious about ensuring that our police have the power to do their job, that they are protected, that the people they serve are protected, we have to make sure we pass good legislation. We can't care from what side of the House it comes. Let me speak in a critical way for only a moment. The police forces across Ontario know that Bill 6 will enhance their ability to do their job, but it will also protect children who are sexually exploited or abused through prostitution. This bill, at this point in time, seems to be static. It can only be static for one reason. It can only be static because a

member of the opposition, in this instance the member for Sudbury, chose to introduce this bill on three occasions. The reality is that this is another example of how we can help our police forces do their job more effectively. The most important aspect of their job is to serve and protect. It's to serve and protect the public of all ages.

The Rick McDonald bill absolutely without question is an excellent bill. But Rick McDonald would tell you, if he were here, and certainly his wife would tell you, his fellow members of the Sudbury Regional Police Service would tell you, the police chiefs' association of Ontario would tell you and certainly the Police Association of Ontario would tell you that the Rick McDonald bill is but one bill that they want to see passed. Another one that they feel is necessary in order to provide them with the tools to do their job adequately and to protect those children who are sexually exploited or abused through prostitution is Bill 6.

Let me not stop there, because I have another bill on the books that I introduced last week. It's Bill 32, the Highway Traffic Amendment Act (Youth Protection). What it would do is ensure that any person who solicits children for the purposes of prostitution has their licence revoked for one year. That too would allow the police to do their job more adequately, but would ensure that their main role of serving and protecting is enhanced. That bill too, for whatever reason, seems to be stifled in this place. Premiers across this country met in late summer and agreed that they would all do something to curb the abuse that was taking place towards children through sexual exploitation and sexual abuse.

**Mr James J. Bradley (St Catharines):** What has happened in Ontario?

**Mr Bartolucci:** In fact, to answer my fellow member from St Catharines, nothing is happening in Ontario. I think there's a perfect opportunity, through either one of these two bills, to ensure that something very proactive and very necessary takes place in Ontario. I suggest to you that the other provinces across Canada are doing something about it. Alberta introduced and passed legislation identical to my Bill 6. Since February 1999, they have been able to help 168 children choose or be protected from the lifestyle they were being forced into.

**Mr Bradley:** They're not soft on crime in Alberta.

**Mr Bartolucci:** As the member from St Catharines says, they're not soft on crime. I don't believe for a second that we on this side of the House want to be soft on crime, but I also think we have to understand that in this place there can be good ideas. It doesn't matter if it comes from the Progressive Conservatives, the New Democratic Party of Ontario or the Liberals of Ontario. We should not confuse or cloud the issues with what the federal government is doing. We've been elected by the people of Ontario to represent the views of the people of Ontario. If in fact the views of the people of Ontario would suggest that the federal government, their Liberal representatives aren't doing their job, then they will have



the appropriate forum to cast their vote for or against that particular member.

In this House we must always remember that we have a serious responsibility to ensure that the laws we pass, the laws we are mandated to set, the laws and the policies we want for the people of Ontario are dealt with in this House, without what's happening in the federal government. We should not be overly fixated on what's happening in the federal House.

I would suggest to you that's why this bill, the Rick McDonald bill, is so very good, because it zeroes in on what we can do as a provincial Legislature. It zeroes in on enhancing a policy that will protect not only police officers but will protect the public they serve and protect. That's why this legislation will certainly be supported by the Liberal Party.

I implore all members in this House to have an open view with regard to policies, with regard to programs, with regard to bills, with regard to ideas that are brought to this House through private members' bills, through private members' hour. I would suggest to you there's absolutely no reason in the world for Bill 6 not to be introduced and passed or for Bill 32 not to be introduced and passed. The reality is that's not going to happen. We only wish it would happen. We wish it would happen as quickly as the Rick McDonald bill happened, even quicker, because I think the Rick McDonald bill should have been passed a long time ago.

Understand that our police officers across Ontario want what's best for them, but certainly they want what's best for the people of Ontario, regardless of age. I would suggest to you that the McDonald family will find some comfort in this bill. I think the McDonald family will find that their friends in police forces across Ontario now will be protected to a greater extent. The McDonald family will find that the public at large will be protected to a greater extent.

Why is that so? It's because it's good legislation, and good legislation can move quickly through this House. It's not free of recommendations. Certainly the member from Brant, our critic, will be offering some recommendations shortly. I know the critic in the NDP will be offering some recommendations. It may not be perfect, but it's good legislation. It's legislation that can be added on to as time permits, as the opportunity permits, as the occurrence may come to the forefront which we haven't covered in this legislation.

The fact remains, the Liberal Party is supporting the Rick McDonald bill because it's a good bill. The Sudbury Regional Police Service—and I know I speak for many of the members who have told me they wish that Bill 6 would pass. They also wish Bill 32 would pass. Come the next session of the Legislature, I will be introducing several more private members' bills with amendments to the Highway Traffic Act. I will bring proof that people—police officers and the public at large—want what's best for police officers but want what's best for the public at large.

1710

I hope that with passage of this bill, there will be a greater awareness so that the general public understands the very real dangers police officers face every single day, that there will be a better appreciation of our police officers, that we will understand that their lives are very complex, that we will understand that when they go to work every day they're not sure what dangers are lurking out there which could take their lives.

We must constantly be aware that it is imperative that we stay in tune with the concerns of our police forces across this province so that as the need arises, we can bring in legislation like the Rick McDonald bill that will provide greater safeguards, legislation like Bill 6 that would provide greater opportunities for police officers to do their work, legislation like Bill 32 which would ensure that youths who are being sexually exploited or abused through prostitution have a greater chance at being protected.

It is something that is very complex. Policing is never easy. Setting policy that governs policing is never easy as well. We must ensure that the policies we pass are always in the best interests of police officers and the general public.

Rick McDonald's bill does that. So does Bill 6 and so does Bill 32. They shouldn't die because a member on the opposition side decided that he too wanted to protect and enhance the opportunities for police officers to do their work in safety, in order to ensure that the public they serve and protect is protected as well.

**The Deputy Speaker:** Further debate?

**Mr Gerretsen:** Thank you very much, and now that the Solicitor General is in the House I would like to ask him again whether he has any statistics with respect to how many charges have actually been laid under the current section 216. The reason I bring that up is that I don't think the public ought to be under any false illusion—and it's a good piece of legislation—that merely the fact that we're increasing fines under this section is necessarily going to give them or the police officers involved in this particular section better protection. He has already given me an undertaking that he will try to get those figures for me, and I appreciate that.

It's kind of interesting. I think my colleague here has been talking about his bill, Bill 6, for at least the last three years. I remember that he first raised it in Sudbury when we were there for hearings, I believe, on some changes to the Education Act some two or three years ago.

As far as I know, the bill has support from individual members across the House. I don't believe he has received any negative comments about it from either the Attorney General's department or the Solicitor General's department. The real question is, if everybody thinks it's such a good idea, why hasn't Bill 6, which deals with child prostitution matters, been passed by this House?

I see my good friend from London-Fanshawe across the aisle. He's a highly intelligent individual, and I have had many discussions with him about various aspects of

this House. He's a former policeman. The question is, why hasn't this bill passed?

*Interjection.*

**Mr Gerretsen:** He's saying it's a federal issue. I don't want to respond to him, Mr Speaker, because I know I should address you. But if that is really true, if it's purely a federal issue, why did Ralph Klein do it? And why is it that over 90% of all the issues raised in this House during question period by the government members deal only with federal issues, on a continual basis? Today we had two or three examples—I won't go into them—where the questions that were being asked of the various cabinet ministers had absolutely nothing to do with the province. They were all questions to the effect of, "Mr Minister, could you tell me what the federal government ought to be doing in this area or in that area?" Let's face it, how would the ministers here know that? They don't know what the federal agenda is.

It's a typical Reform Party tactic. Of course we never know exactly, when the government members speak, are they speaking as Conservatives or are they speaking as Reformers?

Having said that, I certainly hope my colleague from Sudbury's Bill 6 and his Bill 32, which deals with sexual services, also relating to the Highway Traffic Act, where he brings that in, will be passed very quickly by this House, will be adopted by the Solicitor General and by the Attorney General as being good public policy, because that's in effect what they've said. Just because the idea comes from a member of the opposition doesn't make it any less valid than if it came from a government member. So do something about that.

I would like to address one other issue, and that's this whole issue of drinking and driving, which is tied into this bill as well. I know it doesn't deal specifically with that.

I would like to relate some of the experiences I have had with that as to what happens in other countries. One of my relatives has lived in Japan for the last 25 years, and although I don't know what the current status is, one of the things she always indicated to me, going back five or 10 years ago, is how in Japan it is totally against the culture of the people, against the total mindset of everybody, to be drinking and driving. That is just totally unacceptable there.

One of the reasons it is unacceptable there is that if you're caught in a drinking and driving offence, your licence is gone, period, for a lifetime. It's very difficult to get that back. Everybody who gets behind the wheel of a car knows that if they're involved in drinking and driving, they could be losing their driving privileges for their entire life. Now that's the way it was five or 10 years ago. Perhaps western influences have changed that. I really don't know what the situation is currently, but I remember her mentioning to me many years ago that drinking and driving is totally unacceptable, and the reason is the penalties were so severe.

It's the same thing with this bill. The penalties are much more severe than they currently are under the

Highway Traffic Act, section 216, but the real question is, are we enforcing this section at all? Is it a section that only gets enforced at such times as when major calamities have happened, when somebody dies as a result of a police chase, and quite often we get this whole emotional involvement as to whether the police were using proper tactics and things like that? Unfortunately quite often the issue is sort of turned around as if the police are on trial, when the question really ought to be asked of the person who was driving the getaway car, as it were. That's where the emphasis ought to be.

Having said all that, I come back to the question, and I hope the Solicitor General will have some answers for it relatively soon, as to how many charges have been laid under the current section 216. Because it's great to pass all these laws, it's great to pass all these penalties, but if in fact they are never invoked at any one time, the public may get cynical about the whole process.

I will just leave you with that. I notice my colleague from Brantford, who is well versed relating to the Solicitor General's department, is now here and undoubtedly he will continue with his expert advice to the Solicitor General on Bill 22. I now turn it over to the member from Brantford.

1720

**Mr Dave Levac (Brant):** Just before I start into the debate, I want to thank the member from Kingston and the Islands for those kind words and for sharing that time. I would like to also say that I wouldn't mind giving some time over to the NDP if, in their own minds, they could see fit to pass this legislation this evening.

To begin with, the concern I raised with the Solicitor General has been listened to. I want to compliment the Solicitor General for the patience he's showing me in terms of trying to understand how these legislative moments work, and also for giving me some sage advice on whether the specifics of the bill need to be worked on or the general theory behind the bill. He also knows that I said I would offer him some constructive criticism and maybe some ideas on how we can improve the situation, but specific to this particular bill he does have our party's support, and he knows that. He knows that we specifically and very clearly stated to him that we compliment him for introducing this bill, because what it does specifically is that it makes an effort to improve the situation for all our citizens. No one escapes this bill in terms of the scope.

We really appreciate as well the fact that they've taken this bill and not put around it all these other types of legislation that don't relate at all.

One of the other things I will speak to is that my colleague from St Catharines, who—as I can say, since it's my first attempt at true debate in its pure form—will share some time with me and teach me some more of the wisdom of how we debate these bills.

To the specifics of the bill: The suggestions I did have, and I'm hoping the minister would be open to this, is that we take a look at spike belts and the idea of having all vehicles housed with spike belts; an acknowledgement to



the government is that they also make available some funding for spike belts but that we don't have them in all the cars.

Along with providing just the materials comes the proper training. As well as the proper training is the facility being used to do this training. We all know that the college itself needs more teachers, more funding, to give us that top-notch performance that it has up to this point. It's a world-renowned institution. I think we should continue to push ahead and make sure that the funding is available for the specific training on the deployment of the spike belt.

One of the other things I want to make mention of, and we did speak to this a little earlier, is that prior to 1982 there was no official training that took place for all those recruits who came through the police force. When you don't have that specific training for those particular tasks needed to stop these types of chases that are taking place, unfortunately accidents take place.

I would also mention that in my research, we've found out that chases can take as little as 30 seconds. Very, very little time is offered for those officers to make those split-second decisions. My colleague from London is a former police officer who knows that with those specific seconds available to you, the training means everything, in terms of the deployment of the spike belt, the decision to chase or not to chase—with all that training comes that instant response needed from those police officers in a life-and-death situation. That also includes the use of all these other wonderful materials that have been made available in the last little while. So it's the proper equipment and proper maintenance, and especially going hand in hand with that is the necessary training to ensure that our police officers are properly trained and properly deploy those particular things they need.

The second area that I would suggest to the minister is necessary, along with the funding and the training, is the concept of what new technologies are available. We are now learning, with this fast-paced development in our technological age, that we now have satellites in the air that provide tracking for vehicles. We also have, in its infancy right now, the availability of shutdown technology, where we can actually deploy technology to shut a vehicle off. It hampers their electronics and makes the vehicle shut down.

All of these would take the co-operation of the public and private sector and the will for us to ask this to go away. The one thing we will have to admit is that, being human beings, we don't have the ability to stop people from making bad decisions.

But I want to re-emphasize very strongly that proper training of our police officers, which requires funding, is necessary in order for them to make that split-second decision. We cannot stop all training. Up until 1982, we didn't have any training for this particular problem.

I want to reiterate another point that a few of the honourable members have made: We can make these solutions happen inside our province. We have the ability

to make those decisions, to fund those decisions right here, right now.

Once this bill passes, and I'm sure it will, with the co-operation of all members, I'm convinced that we will be able to take the next step, which is to discuss the next level of development for our police officers, our men and women on the street, and the safety of all of our concerned citizens that is necessary for us to have a civilized society, done in a way that respects their privacy, their dignity and for us to be able to say to everyone that we've done our best. So don't leave any rock unturned.

**Mr Bradley:** I'm going to be uncharacteristically brief this afternoon in speaking to this bill. I can tell you that what I would like to see is Bill 32 and Bill 6, from Mr Bartolucci from Sudbury, debated in this House before this House rises for the Christmas recess. They're both excellent bills, both within provincial jurisdiction, just as—I know you've expressed a lot of concern about this, Mr Speaker—Bill 16, An Act Respecting the Price of Gasoline that I have presented to this House. Let me give you the one thing that it does: "The bill prohibits the sale of gasoline at retail for a price that is lower than the cost to a retailer of purchasing and reselling gasoline."

That simply protects the people who, I would say, more in your smaller towns and villages and rural areas, Mr Speaker, that you would be very familiar with—the independent dealers. It saves them. What happens is the big oil companies sell at a price lower to their own retailers than they do to independents; it puts them out of business. I just wanted to mention that, and I appreciate your tolerance of my mentioning that particular aspect of it.

Also, I recognize that this afternoon the time for petitions was cut off in the House. A petition that I think is relevant to this bill I'm going to read and you can determine at the end of the petition whether it's relevant to the bill, Mr Speaker. I'm sure you will do that.

It says:

"Whereas Maters Mortgages investors have battled for a decade to receive compensation for their losses—"

**The Deputy Speaker:** The Chair recognizes the member for Kitchener Centre on a point of order.

**Mr Wayne Wettlaufer (Kitchener Centre):** The time for petitions wasn't allowed today because, according to the standing orders, we had to move to debate of the bill by 4 o'clock. The member knows that, and I think he's skirting the rules now in trying to read a petition in at this time.

**The Deputy Speaker:** That is not a point of order.

**Mr Bradley:** Thank you, Mr Speaker. I want the member for Kitchener as well to see if it's relevant. Let me read the petition to him; it's brief. It says:

"Whereas Maters Mortgages investors have battled for a decade to receive compensation for their losses which were incurred as a result of overzealous action on the part of an official in the Ministry of Financial Institutions as was proven recently in a parallel criminal case;

"Whereas Maters Mortgages investors believe that their civil action against the government of Ontario has been unduly and unnecessarily delayed in the courts by legal representatives acting on behalf of the government of Ontario;

"Whereas the new investors committee of Maters Mortgages (NIC) Inc has requested that legal representatives of the government of Ontario meet with legal representatives of Maters Mortgages investors to discuss the possibility of reaching an out-of-court settlement of the investor's civil case against the Ontario government;

"Whereas many Maters Mortgages investors are senior citizens who placed their life savings in these investments and have suffered from extreme stress and financial hardship and continue to do so;

"We, the undersigned, petition the Legislative Assembly to encourage the government of Ontario to take immediate action to appoint a case manager to expedite the case involving the class civil action of the representatives of Maters Mortgages investors against the government of Ontario.

"Further, we petition the Legislative Assembly to urge the government of Ontario to engage immediately in serious discussions with legal representatives of Maters Mortgages investors with a view to reaching a fair out-of-court settlement with the investors and urge the government to instruct its legal representative to cease any and all legal activity designed to prolong the duration of this case."

I was going to affix my signature to this petition if we were in the time for petitions.

That may not directly relate to this legislation, but I am pleased to put it on the record this afternoon and yield my time to the member for Windsor-St Clair.

1730

**Mr Dwight Duncan (Windsor-St Clair):** I am pleased to speak on Bill 22, An Act in memory of Sergeant Rick McDonald, and say to the government that I too am pleased to support this. At home in Windsor, the Windsor Police Service, in my view, is one of the finest police services in the country, with an outstanding record of serving and protecting our community. This amendment, which is important, is one that I think we should all be prepared to speak in favour of publicly and to support.

I think it's a shame that the government did not agree to include my colleague Rick Bartolucci's recommendations in Bills 6 and 32 in their discussions. It would have been a better piece of legislation at the end of the day. It wouldn't even have had to be an omnibus bill, really, because it's the Highway Traffic Act, by and large, and could all have been dealt with at once.

That being said, and cognizant of the fact that my colleagues in the third party need some time today to speak on this, I too support Bill 22, An Act in memory of Sergeant Rick McDonald, and look forward to its immediate implementation by the government.

**The Deputy Speaker:** Questions and comments? I'm sorry, are you sharing time as well?

**Mr Dominic Agostino (Hamilton East):** Yes, I am.

**The Deputy Speaker:** The Chair recognizes the member for Hamilton East.

**Mr Agostino:** I want to take a few minutes. As my colleagues have mentioned, we are fully in support of this piece of legislation. We think it's a bill that is long overdue, and a bill that's important in this province not only as a reminder of the risks and difficulties that police officers are put to every single day in doing their job across this province, but also to send a very clear signal to those who believe they can choose the flee a police officer in a vehicle and not have to pay stiff consequences for this. I think this bill will go a long way to ensure that a clear message is sent to criminals that they can't simply use a vehicle as a reckless weapon and endanger the lives of other citizens, endanger the lives of police officers and basically put public safety at risk.

While we believe this bill goes a long way, we also believe that other measures must be taken, both provincially and by the federal government, to enhance legislation in regard to vehicles fleeing and being pursued by police officers. We believe that a vehicle becomes a deadly weapon and that people's lives are put at great risk when you use a vehicle to flee police officers trying to apprehend you.

We are calling on the federal government to consider a number of other options as well, to add to the provincial legislation. We believe the federal government should create a Criminal Code offence for escape-by-flight offences. We believe there should be serious minimum sentences that would constitute a real deterrent for people who decide they are going to use their vehicles to escape police officers and, again, put people's lives and police officers' lives at risk. We also believe that in the most severe cases, particularly those involving loss of life, the court should be able to impose a life sentence on those individuals. Frankly, if you kill someone as you are recklessly and intentionally fleeing a police officer, you should face the same sentence as if you use a gun, a knife or other weapon to kill another individual.

In addition, this government has an opportunity to act to help this. One of the issues we have debated in this community and in this province in the last year or two has been the use of police helicopters for many purposes. This is one area where I believe extensive and wide use of police helicopters would go a long way towards curbing any possibility of this type of incident happening. In our own community of Hamilton-Wentworth, our pilot project came to an end on Thursday night. I had the opportunity to spend an hour and a half on Thursday night in a police helicopter as they were out on surveillance in our community. I can tell you first-hand from what I saw there the real potential, the possibility of these helicopters being a real deterrent in ensuring that vehicles do not flee police officers.

It's been a pilot project shared between Peel, Halton and Hamilton-Wentworth where the province has paid part of the cost and we have paid part of the cost. It's used two days a week, but in that short period of time, these 20 weeks, not only has it helped in many arrests



and surveillance, not only has it helped bust a marijuana crop worth about \$2.5 million, but in every single instance—this is important, and I ask the Solicitor General to consider this—every single time the helicopter was involved in a police chase and in pursuing a car, in every case there was no damage, there was never anyone put at risk, there were no injuries. The vehicle was recovered in every instance and the individuals apprehended in every single instance. That is a perfect track record.

The evidence is clear. The problem is that no longer can Hamilton-Wentworth Regional Police afford to carry this program out on their own. They need the help of this province and they need the help of the government. As we're passing the bill tonight, I implore the Solicitor General and the Premier to ensure that we now continue with that pilot project. The municipality's not asking for the full shot. They're asking for a cost-sharing project, the possibility of continuing to share the cost of these police helicopters—a very expensive but useful piece of technology and equipment—with the municipality.

I hope the government now follows up on this legislation with an announcement from the Solicitor General that the Hamilton-Wentworth Regional Police force can continue its helicopter program with the help of the province of Ontario. I know it's going to go a long way, the combination of the helicopter and this type of bill, to ensure that we no longer have to worry about police chases and the damage it does to Ontarians, because the police will have the upper hand.

I will support this bill. Again, I ask the Solicitor General to come forward with an announcement very quickly on cost-sharing funding for the police helicopter program in Hamilton-Wentworth, and I look forward to that.

**The Deputy Speaker:** Comments and questions?

**Mr Kormos:** As I indicated earlier, we will be speaking to this. Unfortunately, it's clear now—what happens here is that each caucus is allowed a one-hour leadoff speech in response to the government. I appreciate some of my Liberal colleagues suggesting that I might be the beneficiary of their largesse, but you see, I don't need your largesse to speak.

**Mr Duncan:** Based on the clock, I'd say you do.

**Mr Kormos:** No, because I'm entitled to address this for an hour. This isn't a time-allocated bill. Unfortunately, I'm left with but 20 minutes before 6 o'clock, which means that almost inevitably the House will adjourn at 6 while I'm midway through my opening comments. That means the matter will have to be recalled. I will be here waiting for the bill to be recalled so we can complete our responses to it, so we can get down to a vote on it.

The House is sitting late this evening and, as I understand it, Tuesday as well. Is it sitting Wednesday?

**Mr Michael Gravelle (Thunder Bay-Superior North):** Wednesday and Thursday till 9:30.

**Mr Kormos:** Wednesday and Thursday till 9:30.

**Hon Mrs Ecker:** Personally, I think Friday night would be a good time.

**Mr Kormos:** I'd be prepared to sit here Friday. It's important that this bill receive appropriate attention.

*Interjection.*

**Mr Kormos:** I'm ready to be here Saturday, quite frankly.

Ms Martel, as I indicated, wants to speak to it. She in Sudbury has a very special interest because of her relationship with the community in Sudbury and the fact that this bill is very appropriately named after Sergeant Rick McDonald.

**The Deputy Speaker:** The member for Sudbury has two minutes to respond.

**Mr Bartolucci:** My response will be very, very brief. Let's face reality here. We can pass this tonight. We can pass this before the House adjourns at 6 o'clock. We can ensure today that this bill becomes law.

I would suggest, with all due respect to everyone in this House, that the time for debate of this bill is over. We now must show our action, show our support with unanimous consent for the passage of this bill so that we can get on with other legislation, but more importantly, as I mentioned earlier, there is closure that has to take place for the family of Rick, Rick's parents, Rick's wife, his brothers and sisters, closure for the Sudbury Regional Police Association, closure for policemen across Ontario. This is a perfect opportunity to provide that closure. I urge all the members in the House to support a quick passage of this tonight.

1740

**The Deputy Speaker:** Further debate?

**Mr Kormos:** Thank you kindly, Speaker. You know that my caucus, my colleagues in the NDP and I have had a strong interest in this bill from its introduction, through the committee hearings. Committee hearings were held at our bequest. We had one day of hearings so that amendments could be put forward. We're anxious to see this bill passed before Christmas. We will do everything that we can to accommodate the government to ensure that the bill will be passed. I'm confident that the bill will be voted upon before this House rises for the Christmas break.

Once again, as I say, I'm prepared to do that this evening. I'm prepared to do it tomorrow afternoon, tomorrow evening, Wednesday afternoon, Wednesday evening, Thursday afternoon, Thursday evening and, if the House should choose to sit on Friday, I'm prepared to do it on Friday if need be. I have no hesitation in committing myself to you to ensuring that this bill gets passed.

Having said that, the bill cries out for some comment. I heard one of the queries put to either the Solicitor General or to his parliamentary assistant. His parliamentary assistant has been working very hard on this. The question put to him was about data regarding either charges or convictions under section 216. Once again, that was an interesting question. Section 216, of course, as you know, is the fail-to-stop provision. This turns the

fail-to-stop into a high-speed-chase provision, right, Parliamentary Assistant? It changes that section so that it covers two sets of circumstances. Before the section was fail-to-stop; that was it, that was the long and short of it.

Fail-to-stops happen—I don't know; they don't happen infrequently. They're probably not the most frequent charge, I'm sure of that, laid under the Highway Traffic Act. It would have been nice to have data on that, although, at the end of the day, it's not critical to a discussion of the bill.

I am a little disappointed because you'll recall, Parliamentary Assistant, that during second reading debate I had speculated about the nature of the offences or the circumstances that give rise to high-speed chases. I relied upon anecdotal information given to me, which I since learned does not comply or isn't supported by the data. Then when we got to committee, the data still wasn't there. I asked you again at committee. It's the sort of data the Sol Gen's ministry should have close at hand. Shouldn't they? Please, to be fair. The ministry of the Solicitor General should have that data readily at hand.

#### *Interjection.*

**Mr Kormos:** It's being suggested that I should talk slower. I suggest that the Conservative member very carefully consider whether his interjections will prolong this debate or whether the debate will proceed along in the manner in which it should.

I had asked for data. I asked once again at committee. Still haven't got any data. So let's use the best information I have, which is simply reports I get from police officers and people close to these scenarios.

Contrary to what I had believed originally, I'm now advised that the largest single number of high-speed chases are the result of stolen cars, what's colloquially referred to as joyriding, for instance. Then you get into the category of drunk or suspended drivers who take the police off on high-speed chases—or both drunk and suspended drivers. Then, finally, you have what probably is the smallest group and that's the bank robber—lord knows what—the drug trafficker, the far more hardened, seasoned criminal who simply doesn't intend to let himself or herself be apprehended by the police.

You, Solicitor General, know that I was extremely disappointed that the amendments I put forward at the one-day committee hearing—it was because of those amendments that the committee met to consider the bill. I had indicated on behalf of the whole NDP caucus that we supported the legislation and that we were going to participate in ensuring its passage was completed before the Christmas break. I'm confident once again that it will be. But what you've done—fair enough. You've raised the ante for drivers in instances of high-speed chases by virtue of increased fines and jail sentences—do I have this right?—when there are injuries, or of course death, ensuing. I have no quarrel with that.

I understand your frustration in that basically what you're doing is the job of the federal government here, because it's the Criminal Code that's going to be the applicable provision in most of these cases anyway.

When somebody is injured in the course of a high-speed chase, one would like to think that a Criminal Code charge is laid, be it criminal negligence causing bodily harm or criminal negligence causing death, that has with it the criminal conviction, the far broader sentence regarding prohibition of driving, as compared to mere suspension of licence or country-wide, nation-wide, prohibition, and the prospect of significant jail penalties. So I share your disappointment that the federal government hasn't done its job in response to this particular issue.

It's an issue police officers have been coping with—I use the word “coping” advisedly—in a very frustrated way for a long time. As I've told you before, and I'll say it again because it probably should be said, cops in these situations are inevitably damned if they do and damned if they don't. Police officers have to make split-minute decisions about whether to engage in a high-speed pursuit. They're well aware that if they choose not to pursue that vehicle and that vehicle down the road, not being successfully pursued, is then involved as the result of a drunken or careless or reckless or negligent driver and causes somebody else serious harm or death without there even being a high-speed chase, whose neck is on the line? Inevitably the police officer who made that decision not to initiate the chase, rightly or wrongly, and totally unfairly from that police officer's point of view, inevitably, if he's going to be called on the line.

It's a matter of exercising split-minute judgement. I don't think any police officer embarks on a high-speed chase recklessly or carelessly, because police officers know that there's the risk of harm to themselves, yes, to the culprit or culprits in the car being pursued, and tragically, great risk of harm to the general public, other users of the roadway, pedestrians. We've seen all of those circumstances over the course of many years.

This is the first time this Parliament has been confronted with this whole issue of high-speed chases. The Solicitor General says there are going to be guidelines established regarding high-speed chases. I look forward to that. I look forward to being able to respond to and perhaps contribute to the discussion around the setting of those guidelines. But I also want to tell the Solicitor General that at the end of the day it's front-line police officers, those women and men in communities across this province, both municipal police officers and provincial police officers, who should be the primary source of consultation for developing guidelines around high-speed chases—not just their chiefs, not just their media relations officers, certainly not the police services boards, but those front-line cops who are out there doing the job.

1750

It's a job that most of us in this chamber—most of us, not all of us—would be unlikely to want to do, or, if we wanted to do it, would be incapable of performing. It's a job that carries with it incredible pressures. You know that there are all sorts of data and discussions about the pressures that policing takes on police officers' personal



lives, on their family lives. There are certain phenomena that prevail among police officers, distinct from the general population, that confirm that, that the role of the police officer goes well beyond his or her reporting to the detachment and going out and doing their job for their eight-, ten- or twelve-hour shift and then going home.

Police officers pay an incredible price by way of the cost not only to themselves but to their kids and their spouses. Again, police officers are under increasing scrutiny in this jurisdiction, as well as virtually every other, finding themselves oftentimes being scapegoated, and subject not only to that incredible scrutiny but to higher and higher expectation levels. There's nothing inherently wrong with that. We should have high expectations of our police officers.

When we have those high expectations of our police officers, we should also ensure that those same police officers have all the possible tools to perform the jobs that we call upon them to do. Those tools include adequate responses by the criminal justice system, or in this case the provincial offences system, so that when they go through the process of apprehension and arrest and, if they're successful in a prosecution, the penalties that are imposed constitute some meaningful deterrent.

At the end of the day the fines alone, for people who don't have the money, probably simply won't be paid. You know, Solicitor General, that we've already got a huge backlog of accounts receivable of unpaid fines. Provincial Auditors have commented on it. You're aware of it yourself.

Jail penalties within the range that the province would consider in provincial offences legislation are for the many kinds of people who would take the police off on high-speed chases a little bit of a joke. You know the standard. For responsible members of the community, regardless of how old they are, any amount of jail time is a deterrent. That's why most people don't commit crimes. Most people don't. But when you're taking a look at the kinds of people who lead the police on high-speed—that's why I wish we had the data, Solicitor General.

I'm looking now at the parliamentary assistant because he speaks for the Solicitor General on this matter. He has during the course of this bill.

Let's assume that the car theft is the number one, biggest single chunk with drunks and suspended drivers. For instance, Christmas brings out—take a look at the results at least down in Niagara, and I suspect that other jurisdictions have similar results. Niagara Regional Police have stopped far fewer cars in their RIDE searches but have laid far more charges of drunken, impaired, over-80 driving.

In many respects that's a good thing. What it demonstrates to me is that the police are being far more efficient in where they set up their RIDE. Do you understand what I am saying? They're able to at least highlight or pinpoint areas where they've got a greater likelihood of apprehending drunk drivers, and none of us has any quarrel with that. I'm not aware in Niagara of

any of the drunk driving RIDE stops resulting in high-speed chases over the course of this recent RIDE season. Let's understand that that's one of the areas, one of the arenas that generates high-speed chases. I suppose at the end of the day a high-speed chase when it's a drunk driving the car that's being pursued, then you multiply the potential danger to the police officer, the driver of that car and to the general public.

It's important that there be tougher penalties. One of the things—and I made a note of it—that you said, Solicitor General, when you introduced this bill for third reading was you talked about it providing “real accountability.” That takes me back to the amendments that were proposed in committee. I didn't surprise the government with these. I told the Legislature during second reading that I was going to bring these amendments forward, and I did. I gave to the parliamentary assistant, Mr Mazzilli—you know Mr Mazzilli, Solicitor General; I'm sure you've met him from time to time—as I promised him, copies of the amendments as soon as I had them, which unfortunately was the same day, but legislative counsel was hard-pressed. I told the Solicitor General and his parliamentary assistant during second reading debate that I could care less if the government took these amendments and pursued them on their own. That would be fine by me; my name didn't have to be attached to them.

You talked about real accountability, and that's what those amendments talked about too. They talked about confiscation and forfeiture of vehicles that are used in high-speed chases. In the case of a stolen vehicle, is that going to be meaningful or relevant? Of course not. But in the case of the drunk and/or suspended driver who's driving their own vehicle—understand, look what happens. It's the suspended driver driving his or her own vehicle that attracts the attention of the police, because the CPIC check or run-through of their licence plate on the highway identifies them as owner. Do you understand what I'm saying, Mr Mazzilli? I think you do.

**Mr Levac:** On a point of order, Speaker: Given the nature of the fine debate that's taken place so far, I would seek unanimous consent for the passage immediately of Bill 22.

**The Deputy Speaker:** Unanimous consent? I heard a no. The Chair recognizes the member for Niagara Centre.

**Mr Kormos:** One moment, I was interrupted.

We're talking about suspended drivers. Let's understand that police officers are following a vehicle, identify its licence plate, the licence plate is related to an owner, and then they get information that the owner is under suspension and try to pull that person over, as they should do. That's not an unfair scenario, is it, Mr Mazzilli? I think not. It's not an unrealistic one, is it? There is a situation, when that driver takes the police off on a high-speed chase, where forfeiture or confiscation of the vehicle would constitute a real and meaningful deterrent, would create true accountability. I'm not talking about the stolen vehicles. I'm talking perhaps about a much smaller class of vehicles where there is and

ought to be some accountability or responsibility held by the owner.

Would this extend to spouses who lend each other their vehicles? It may well. Would it extend to parents who lend their vehicles to children or vice versa? It may well, because the amendments I proposed provided for relief from confiscation, relief from forfeiture if and when the bona fide legitimate owner of the vehicle could prove exercising, as the drafter of the legislation, legislative counsel, put it, "due diligence" to prevent the high-speed chase from being embarked on—

**Mr Steve Peters (Elgin-Middlesex-London):** On a point of order, Speaker: I seek unanimous consent of this House to cease the debate and pass the legislation dealing with Bill 22.

**The Deputy Speaker:** Agreed? I heard a no. The Chair recognizes the member for Niagara Centre.

**Mr Kormos:** I find it pretty remarkable that the Liberal caucus wanted to exercise their right to participate in this debate yet want to shut down debate when their participation is over. They're starting to sound more and more like the Tories, with the Tory tactics on closure, than they ever have before.

The fact is that people can review the Hansard of this third reading debate and read, if they will, the comments of members of the Liberal caucus and determine for themselves whether or not those comments constituted a delay or whether they constituted any meaningful discussion of this important bill before the Legislature.

**The Deputy Speaker:** It being 6 o'clock, this House stands adjourned until 6:45 this evening.

*The House adjourned at 1801.*

*Evening meeting reported in volume B.*

## ERRATUM

No.	Page	Column	Line(s)	Should read:
30A	1524	1	2	Charmaine Lerch, who lives in Rivers, Manitoba, is a



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First Session, 37<sup>th</sup> Parliament

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Première session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 20 December 1999**

**Lundi 20 décembre 1999**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 20 December 1999

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 20 décembre 1999

*The House met at 1845.*

## ORDERS OF THE DAY

### TIME ALLOCATION

**Hon Frank Klees (Minister without Portfolio):** Speaker, order G25.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: With respect to this government notice, as to the time allocation motion that was passed by this House, it's the view of the official opposition that that motion was out of order. I'll read to you the line that's offensive. It says, "That the order for third reading of the bill may then immediately be called." It's the position of the official opposition that by inserting that into this, they are in fact not amending but violating the standing orders. Second of all, again pursuant to what the Speaker ruled last week, we are again dealing with the same item twice in one day. I would ask the Speaker for a ruling on whether or not the time allocation motion is in order.

**The Deputy Speaker (Mr Bert Johnson):** Let me address that point of order. If it was a problem, it should have been addressed during the debate on that motion. That motion, as I understand it, has been made, debated and passed. The Chair recognizes the chief government whip.

### FEWER MUNICIPAL POLITICIANS ACT, 1999

### LOI DE 1999 RÉDUISANT LE NOMBRE DE CONSEILLERS MUNICIPAUX

Mr Klees, on behalf of Mr Clement, moved third reading of the following bill:

Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services / *Projet de loi 25, Loi prévoyant la restructuration de quatre municipalités régionales et modifiant la Loi sur les municipalités et diverses autres lois en ce qui a trait aux restructurations municipales et aux services municipaux d'électricité.*

**Hon Frank Klees (Minister without Portfolio):** Clearly this bill before us tonight is important because it

completes a commitment on the part of our government to do business differently, to do business in a way that values, recognizes and honours the taxpayers of our province. Before us, as you will hear debated, is a bill that follows through on that commitment to make government more efficient, to deliver services in a more effective way and to reduce the tax burden on the taxpayers of the province. Our speakers tonight will be the members for Carleton-Gloucester, Kitchener Centre, Bruce-Grey and Simcoe North.

**Mr Brian Coburn (Carleton-Gloucester):** I'm pleased to be able to address Bill 25 once again. The fact that we have introduced this bill is in concert with helping municipalities become better equipped to meet the challenges as we head into the new millennium. This debate went on long, long before it ever reached this place. It has gone on in municipalities for years and in fact decades.

Haldimand-Norfolk was established in 1973 and almost ever since then they have been looking for ways to make governance better; also in Hamilton-Wentworth which was established in 1974. There has been ongoing debate and discussion as well that looks at how you can provide services more cost-effectively, more cheaply and more accountably to the taxpayers. In Ottawa-Carleton, it has been going on for some 30 years, since Ottawa-Carleton was first established. Once again, to repeat what I said the other day, there have been some 27 or 28 studies done in Ottawa-Carleton since 1976 on this issue. In Sudbury, which was established in 1973, local governance has been an issue since the early 1980s.

Some of the municipalities within these regions have indeed operated in an effective and cost-efficient manner. However, because of the numbers of them, that presented tremendous difficulties within the area of a region in terms of businesses trying to invest in the community and get approvals, and for many community associations and residents of that area there was considerable confusion as to who should be providing what service and whom they should call when they had a problem.

There is abundant evidence that restructuring saves taxpayers money. In fact some of the initiatives that have been undertaken so far by municipalities indicate over \$220 million in savings that can be achieved for the taxpayers in those areas. In these areas, hard-working Ontarians want value for their tax dollars; they want value for money. They want lower taxes and they want to reduce waste. They'd love to have it eliminated. They'd

like duplication eliminated, and they want fewer politicians, who can clearly be held accountable for the services that are provided for them in their communities.

Restructuring of course draws all facets and feelings into the debates and arguments. We, as humans, do not accept change or face change in a very ready or acceptable manner. Quite often, it isn't until we're backed into a corner that we realize change has to be made and in many cases a lot of damage has been done. What our government has worked to do over the last four years and into this mandate is to work with municipalities so that they can revamp the way they offer services and provide more efficient delivery of those services.

The debate over the last number years in each of these regions has tugged at the heartstrings. Having been involved in it as one of the municipal politicians, I can tell you that when you're a local politician you don't think anybody can do it in your community as well as you can, and that's where the discussion starts.

In Ottawa-Carleton, we discussed this for the nine years I was mayor, particularly in the last four years when this government got elected. The order of the day was, either come up with a solution yourselves on where you can save money—reduce politicians, make things more efficient and more effective, and be more accountable—or we will do it for you.

That was an incentive for us to get together and try to resolve the debate and arrive at a homemade solution, a solution made in Ottawa-Carleton. I'm sure the same thing applied in Hamilton-Wentworth, Sudbury and even Haldimand-Norfolk. Countless meetings were held, countless discussions, not to mention the amount of dollars spent over the years on consultants' reports. Everybody and his dog had a better idea of how things should be done, especially consultants.

What always intrigued me was that the local solution would have been much better than somebody from afar doing it to you. But when you got into the discussion about what happened in your own community and how you delivered services, there was always some reluctance to give up or to recognize that we had to conform and align our services so that money was saved.

Many of us in municipal life would remember taxpayers talking to us on the street: "Why are you doing this, and why are you doing that? Why can't you have the same bylaws and the same rules and regulations as your neighbour?" There was constant confusion, especially in the development community when you were trying to create jobs and stimulate the economy, as we all were. Most of us had our own economic development officers, and we all had our own brochures and were marketing our little corner of the world as the best place to do business, when that could be more effective if we did it in a collective manner.

So that type of consultation that we had over the years could never bring us to a conclusion. One thing that happened in Ottawa-Carleton, recognizing that there were efficiencies—and we all recognized that efficiencies could be achieved, and reduce the complexity and

confusion that had prevailed over our residents—was that we needed one-tier government, and that we needed a decision and couldn't make it ourselves. Similarly in the other three regions.

When you get into that type of situation when someone has to come in and make the decision, you always hear the naysayers, "You should have done this, you should have done that, you should have done the other thing," keeping in mind that none of them could have a meeting of minds and do what had to be done.

Therefore, we had a process where we had special advisers come in. They were all very well-qualified individuals who came with their own credentials and embarked on a consultation process where anybody who wanted to speak to the adviser and get their point of view and their opinion across had ample opportunity to do that. That was done, and a number of different viewpoints were put across. The unenviable role the adviser had to play was to sort those out and help determine the model of governance that would help take these four areas into the foreseeable future, the next 25, 30 or 35 years, with a good model of governance for the people who would be elected, so they could perform their jobs.

I'm sure many in this House have no problem being held accountable if they have some control over the decisions. This very much speaks to how the governance recommendations that are in front of us allow those who are elected to have a little more control of what happens in their communities and what happens at the council table.

#### 1900

Certainly when you reduce the number of politicians—many of you have sat around the table with numerous politicians, whether it be at the county level or at the regional level. It's difficult to argue for your little corner of the world, and you say, "There are too many wards in this particular area," and the inner core and the suburbs get left out, and that kind of thing. But what this bill has done has certainly reduced the number of politicians. The recommendations are for councils that are a more workable size, so that in inputting you can have an influence on your councillors and you can bring credibility to the table, or you can create a sense of achievement with your fellow colleagues.

For example, the reduction in politicians is from 254 down to 64, and more workable sizes in each of these municipalities: in Haldimand-Norfolk, 16. That's a much more workable group when you're trying to move forward with an agenda that will work to the benefit of your taxpayers and your residents. In Hamilton-Wentworth, 14; in Sudbury, 13; and in Ottawa-Carleton, 21. With that come considerable savings. One of the things we have to do in our society today, whether it's at the provincial level or at the municipal level, is to be able to achieve those savings so that you can direct the money to things that people want to have happen in their community, some of the hard services. Some of the things that people notice when you hop out of bed in the morning—if somebody hasn't moved your stop sign and



your street hasn't been plowed, then you've got reason to complain, because those are things that are visible. That is now something where money can be directed to some of those services that taxpayers expect to have delivered to them in a cost-efficient manner.

Each of the councillors in their respective areas will certainly have considerable input and a lot more say in terms of some of the recreational activities and how the money is spent in their collective areas. Some of the savings to be achieved—and in the Ottawa-Carleton area it is an impressive number of \$75 million. Possibly, it could even be more than that. In Sudbury, \$8.5 million in savings; \$35 million in Hamilton, and of course that's well underway with \$25 million for some of the reorganization they had already done in some of the services between the lower tier and the regional level; in Haldimand-Norfolk, \$2.5 million. Those are not small numbers by any stretch of the imagination. That's on an annual basis.

One of the main things that has to happen in our communities—and those who run for office run for a reason, because they think they can make their community better, because they think they've got something to contribute. But they have to be in a setting where they achieve some of those goals. We feel that under Bill 25, with the restructuring and the transition teams that have been put in place in the four areas, it is to be able to have a smooth transition—not to usurp the authority of a new council but to have in place some of the structure so that the new council can get out of the starting gate quickly.

The reason for passage of this bill is to accommodate the municipalities and work with them so that those individuals who are running for office in the new cities can register as of the beginning of the year and get on with their fundraising, so that they can enunciate to their public some of the things they'd like to achieve in the new city's setting. Economic development—we can get it underway so that you can promote each of your cities in a meaningful way, and not just in the local area—on a global scale, the way a lot of other things have gone on in our communities.

The world certainly, as we all know, has shrunk. You have to be prepared. If you're not on the leading edge, you're going to be left standing on the curb. With the new technology that we have in many of these areas—in particular I refer to Ottawa-Carleton as the one I am most familiar with—with the aid of high-tech we can deliver service and do the tracking and keep the stats and do the calculations and those kinds of things in a more cost-effective manner.

Those are some of the things we've been doing—whether you do it at the provincial level, at the federal level or at the local municipal level—that have been ongoing. Now they can be done on a larger scale and in a more cost-effective manner so that you can take advantage of those things, whether its dispatching of police, firefighters or whatever.

The challenges that we face in our communities, given what is happening in other countries around the world, in

order to be in the marketplace and be cost-effective so that you can sell your products, so that you can create more jobs, so that you can create a vibrant economy, mean that you've got to have the structure at home that is able to accommodate and support that. This bill gives the new cities every opportunity to set up a structure that will be more supportive of economic development and jobs within their community, more supportive of residents and businesses that want to do things and achieve things.

Area rating: One of the other issues that comes up is what we've saved and put into the kitty in terms of reserves over the years. Some have and some haven't. Some municipalities have been spendthrifts and others have been very frugal and have run very tight, efficient operations, so there is certainly concern about what happens with those reserves that they have accumulated over the years. That is one of the reasons why area rating was brought in, so that those reserves will be there to those capital plans that were on the books and are ongoing and they will have an opportunity to have them completed with the money generated in those areas. Certainly with development charges, we're well aware that the Development Charges Act earmarks funds raised for specific projects in specific locations. That gives some assurance to those geographical areas within the new cities that some of these projects will not be left high and dry and in fact they will be completed so that they can continue on with the growth in their communities.

Bill 25 also lays out, I think in a very helpful manner, how the transition period will occur over the next year in terms of some of the boards that will be left in place so there is continuity. The transition board certainly has authority to hire certain employees so that the skeleton, the framework of the new city is in place so that we won't skip a beat when we hit January 1, 2001, and so that the new council, when they do take over, will be able to proceed in a very positive and constructive manner.

I was talking to some of my residents on the weekend and they said, "What if we have another ice storm right in the middle of this?" There are provisions. That provision is in here, that emergencies and that kind of thing can be dealt with so that there is no interruption in service and that there is no fear for our residents that they will be left out on the limb without anybody being able to look after them.

The one thing I would like to just touch on, especially in Ottawa-Carleton, is the issue of bilingualism. In our community bilingualism has evolved over the years. As a former mayor, I was very privileged to represent a community that had about a 40% francophone population, and being a unilingual mayor, I had the pleasure of working with them. We brought bilingual services into our community and the francophone needs were met. That has happened in Ottawa-Carleton in Cumberland, Gloucester, Vanier, the city of Ottawa, and in fact bilingual services in some areas within the region of Ottawa-Carleton, the regional government itself.

It's a very sensitive issue that is community oriented in terms of supplying the need and the demand, as

needed. That is one of the reasons why this government believes that bilingualism has to be addressed by the local council, by the new council, so they can determine how and to what degree bilingual policies are brought in, because we do have some areas in Ottawa-Carleton that presently have no requirement for French services.

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Of course, when you get into this debate, it's another one that does tug at the heartstrings. It brings out the emotional elements to the discussion and sometimes brings out the best and sometimes brings out the worst in people as well. But I am pleased to tell you that the gains we have made in the francophone community in those municipalities are something that is not to be tampered with and will remain there. So that becomes the starting point for the new council on how they wish to expand their services.

That's been the practice of the province of Ontario for a good many years, so in my opinion if it's handled locally it will be handled with sensitivity. The services will be brought in the manner in which they are needed and with the sensitivity that is needed to make those decisions.

I do support Bill 25. It's time for the taxpayers to take advantage of some of the savings and the efficiencies that they expect to have delivered to them. It needs to be passed now so that those individuals who want to be part of the new council can get off the mark early, file their names and get on with their electioneering and their fundraising campaigns.

**Mr Wayne Wettlaufer (Kitchener Centre):** I'm pleased to stand and speak in support of Bill 25, the Fewer Municipal Politicians Act. I wonder if we could just discuss the history of this act or the reasons behind this act. We've had, for instance, 26 years of talking. There was the creation of the region of Haldimand-Norfolk in 1973, and after that there were four subsequent reports or studies dealing with restructuring of municipal government, with no action.

I am familiar with Ottawa-Carleton because I lived in the Ottawa-Carleton area for 3½ years in the mid-1970s. I'm quite aware of the discussions that were going on at that time. The region was created 30 years ago, in 1969, and after that there were five subsequent reports, commissions or panels, all dealing with restructuring of the region.

The region of Hamilton-Wentworth was created in 1974. Before and since then there have been eight reports, proposals etc dealing with regional restructuring.

The regional municipality of Sudbury was created in 1973. Before and since, there have been 17 reports, requests, studies, recommendations, improvements or reviews, and again no activity.

The purpose of this act is to meet the needs of the people of Ontario: lower taxes, more accountability, greater efficiencies and fewer politicians.

The members of the opposition say: "Fewer politicians? Why don't you just deal with two politicians?" Or another one will say, "Why don't you just rule by

junta or dictatorship?" That's displaying a faulty kind of logic. I submit that they know that it's faulty logic but it's trying to appeal to the emotions of the people in those regions.

**Mr Dan Newman (Scarborough Southwest):** It's arrogance.

**Mr Wettlaufer:** It's arrogance, as my friend and colleague the member for Scarborough Southwest indicates.

Some people would ask why I, Wayne Wettlaufer from the riding of Kitchener Centre, am standing in support of this bill. I'm not affected. I submit that it's to impress on the Minister of Municipal Affairs the importance of moving on with municipal restructuring of Waterloo region. I would like to see Waterloo region have single-tier government much like we're advocating in three of the regions in this bill. I am an unabashed supporter, in fact I am an unabashed proponent, of single-tier, one-city government in the region of Waterloo. At some point over the course of the next couple of years we are going to be dealing with that. I know the members opposite are probably trying to figure out their strategy to try to hinder the development of single-tier, one-city, or maybe even two-city, government in our region, trying to hinder the economic development of our region because I submit to you that that is the reason behind this bill.

It is further to our total philosophy to encourage economic development through lowering costs in order that we may have increased numbers of jobs. In the region of Waterloo I have had hundreds of letters and phone calls from members of the Conservative business community, from the chamber of commerce, from the local politicians, I have had letters from individual constituents, and from the former consultant of the region of Waterloo, all supporting the idea of single-city, one-tier government. That is why they've been advocating it, because of improved efficiency, lower taxes, more reasons to attract economic development and increase jobs.

I have had more than one article, many articles in the Kitchener-Waterloo Record and the local media advocating regional restructuring in the municipal region. The articles all talk about what's most important, and it's jobs and business development.

We have had some movement towards regional restructuring in our region. It's not adequate but what I would like to say here is that we see so much opposition from the Liberals and the NDP on this issue; however, during the 1999 election campaign, the Liberals advocated regional restructuring. Do you remember?

**Mr Richard Patten (Ottawa Centre):** No kidding, we agree with you.

**Mr Wettlaufer:** Oh, you agree with us.

*Interjection.*

**Mr Wettlaufer:** You don't get it. Oh, you agree with us. Good, I'm glad you agree with it. Then why are you supporting your leader who is advocating that we don't go ahead on this now?

*Interjections.*

**Mr Wettlaufer:** Just because of bilingualism you say, right? I know it's an emotional issue. I understand that



it's an emotional issue, but for 130 years the provincial government of Ontario has advocated allowing local municipalities to determine whether or not an issue such as bilingualism should be handled locally. I suppose maybe the Liberals think that Kitchener, the region of Waterloo, should be bilingual. Well, that would be up to the local municipality.

Dalton McGuinty, the leader of the Liberals said, and he was quoted in the *Ottawa Sun* on August 25, 1999: "There has to be here in eastern Ontario a large urban centre if we're going to compete with the likes of Toronto. We'll never be able to do that if we break up into three cities. It's time for the region to come of age."

This is so typical of the Liberals. They take a position one day and they turn around and take another position the next day. We look, for example, at the red book in 1995, their campaign platform, when they said they would increase the deficit by \$17.5 billion within five years, before they were able to balance the budget. They turn around and criticize our government for not balancing the budget in less than five years. They said they would restrict health care spending to \$17 billion. However, they criticize us for not spending enough when we've increased it to \$20.6 billion. We passed the Safe Streets Act. Some of their own members of their party supported it but no, the party as a whole voted against it. We passed the Taxpayer Protection and Balanced Budget Act. Although they voted for it, they spoke against it. I submit to you, you can't suck and blow at the same time.

They say it's because they can see both sides of an issue. I submit to you that when you can see both sides of an issue you become paralyzed by inactivity. It reminds me a little bit of a management psychology course I took about 10 or 15 years ago, in which they stated that 25% of the populace can be divided into controllers, promoters, supporters or analysts. The analysts of course were so filled with analyzing every aspect of a problem that they were paralyzed by analysis. I submit to you that's the problem with the opposition parties. That is why we were elected, because the people of this province wanted someone who could lead, someone who could manage the affairs of this province. That is what this bill is doing.

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#### *Interjections.*

**Mr Wettlaufer:** I am touching a nerve again. I can see that. It's just like the federal Liberals. They got so tied up on the issue of health care, they had become so criticized in the media about their lack of understanding or lack of dealing with health care, that they decided to introduce a clarity bill. That was just to take attention off the real issues.

I want to say that I am a strong supporter of this bill. I will be voting in favour of it.

**Mr Bill Murdoch (Bruce-Grey):** I have a few minutes and I'd like to speak on this bill. As you know, I'm not totally happy with the bill, but I have supported it on both first and second readings. I have concerns, along with both of my members from Hamilton, as to what's

happening there. I sometimes fail to see why the Hamilton portion couldn't be taken out of there and reworked. I do have some problems with that.

As you also know, I had problems with the portion of the bill that the member for St Catharines also had problems with, where 75 people could sign a petition and maybe we would have a review or a forced restructuring of an area. It could even happen in an area that had already been restructured. I'm very pleased to be able to stand in the House tonight and report that I've had assurances, I even have a letter, that the minister would prick his finger and put blood on it that this will not happen. I won't read it, because I don't have enough time, but I know some of the other members would like to see it and I certainly will share it with them before I'm done tonight. It would take too long. It essentially says that this part can be removed from the bill and will be removed from the bill at a later date, and that it will not be used to cause a restructuring in an area. I'd just like to report that this made me a lot easier about this bill.

I wasn't here last, I think it was Wednesday night, but I was watching on television when the member for St Catharines three times at least criticized this government for being undemocratic for having that portion in this bill where, he said, "Think of it; 75 people could cause a restructuring." You know, folks, I would like that member to remember back about 10 years ago. It was the Honourable Jim Bradley at that time and he was the Minister of the Environment. I can remember when that member was petitioned by people in Grey county to hold an environmental assessment review of the planning issues in Grey county. Fifty people petitioned him, and do you know what, folks? He granted that. There were actually 54 people on the petition, because I remember it clearly. I was the reeve of Sydenham township at the time.

He also allowed them to do a review on a subdivision that was properly planned and approved by agencies, but all of a sudden he got 50 people from an area and said: "I'm going to stop this. I'm going to be Jim Bradley Minister of the Environment, and I will stop this." He did stop it. He stopped one of the best-planned subdivisions in our county, and I happened to be part of that; I remember, it's 10 years ago to the day that he did that. Now there happens to be—

**The Deputy Speaker (Mr Bert Johnson):** The Chair recognizes the member for St Catharines on a point of order.

**Mr James J. Bradley (St Catharines):** Sometimes when there's a crossfire, you can't hear. I was wondering whether the member had mentioned that the planner in Grey county quit over this issue because he was so disgusted with what the politicians were doing.

**The Deputy Speaker:** That is not a point of order.

**Mr Murdoch:** Mr Speaker, could we have some more time put on? I was getting to that point, but he took it away from me. One planner did, but the other planners didn't, so maybe the member doesn't know the whole thing.

But he sent in his troopers. They all came marching up to Grey county and said, "We're going to stop this." It probably cost the county \$1 million. It cost the province dear knows what, because he had three key people he felt were his advisers come up and have this environmental assessment review of Grey county. It took two or three days. He caused more trouble in Grey county than anybody did.

Let's look back at the date that this was done: 1989. When was there an election? Right after that, I believe, in 1990. This was to shore the Liberals up. You know what happened? The Liberals haven't won that riding since and probably never will because of that.

**Mr Bradley:** In principle.

**Mr Murdoch:** And he talks about principle. I'd like to be in his office and see if he has a print or a painting of—what's that guy's name? That infamous George McLean. Maybe he gave him a print or a painting. I have no idea. I'm sure he would have declared it if he did. But this fellow feels that he is very famous, and I think Jim might have agreed with him on that.

But the whole point here is that I heard this member last week say this government was so undemocratic for allowing these 75 people to cause something like this, and he did it on 54 signatures. Can you believe it? He caused millions of dollars, lots of grief and lots of problems within our county.

Fortunately, the election did come along in 1990 and we didn't have to put up with tactics like this, and future governments took that out of the bill to make sure that didn't happen again, and it won't happen now. So he should be quite happy. Maybe he wanted us to lower it down to 50, I'm not sure about that. Maybe that's what he was talking about. But I did hear him at least three times go on about it.

*Interjection.*

**Mr Murdoch:** I think I hear a little mouse nattering away out there somewhere. I have no idea what he's trying to tell us.

Also, he talks about democracy. I have a letter right here from the warden at the time, Mr Delton Becker, writing to him as the warden of the county saying: "Sir, would you not do this? This is not needed in our county." The county council didn't need this. He ignored them, never even bothered to write back, if you can believe that. Yet he can sit here and criticize this government for something now that isn't going to happen. So I'm sure he's quite happy now that this will be taken out of the bill at a future date and won't happen.

As I say, this has been quite a bill and a bit of a dilemma for me. I know the member for St Catharines went on at great length to talk about our member from Hamilton, Mr Skarica, how he's doing the right thing and he should quit. I want to tell our member he shouldn't quit. Don't listen to somebody on that side of the House. The credibility now is gone. In my riding, they call that hypocritical. I wouldn't say that, but I know a lot of people in my riding might say that. They would wonder what kind of man this was. So I'm saying to my

members, Mr Clark and Mr Skarica, you're doing a great job of looking after your ratepayers.

**The Deputy Speaker:** The Chair recognizes the member for Elgin-Middlesex-London on a point of order.

**Mr Dave Levac (Brant):** Brant, Mr Speaker. In my first sitting of the House, I've listened intently to an awful lot of the language that is being used and what is considered to be unparliamentary. Sneakily, what we're doing is starting to come in and impugn members by saying other people are saying it and still getting it repeated. I would suggest very respectfully that the terminology the member used was not appropriate.

**Hon Mr Klees:** On the same point of order.

**The Deputy Speaker:** No, I don't debate points of order.

I was listening very carefully to the member, and I don't think he was impugning anything on the part of any member. I therefore recognize the member for Bruce-Grey.

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**Mr Murdoch:** If there is a problem on the other side that I said something unparliamentary, I'll certainly withdraw it. It wasn't me who was saying it anyway, but if there was something said and it did upset them, I'll certainly withdraw that.

I want to go further with what this member did with the 54 signatures. As I mentioned, there was a subdivision that was well planned—it would have had a water system, a septic system, curbs and gutters—which also went down the tubes because of this review.

In the same area now, there are over 30 homes, all on septic tanks and all on their own water supply. So not only did the minister at that time cause a lot of heartaches and cost a lot of money to the province and the people of Grey county, but he also caused a lot of problems with their subdivision, which would have been properly planned.

I know that the NDP felt that septic systems shouldn't even work out in the country. I think there's somebody in the House tonight who might agree with that. I don't, but I know that person went to great lengths, especially in Bruce and Grey counties, to try to prove that septic tanks wouldn't work. Fortunately for us, they do work.

This subdivision would have been one of the finest in Grey county. But when the storm troopers came in from the Minister of the Environment on 50 names—that's the whole thing here, 50 names—or 54, I should say; there were four extra names—and recommendations from a so-called artist, this all happened. I'm happy tonight to stand here and say that this 75-name petition will not be around and will not cause us the same kind of trouble that it caused us when the Liberals were in government.

As I said before, I feel that Mr Skarica and Mr Clark are doing an excellent job of defending what their people want them to defend. Unfortunately, this system sometimes doesn't work for everybody. In this case it isn't, and I'll be the first to admit it. It does bother me a lot that they would be put in this position. But it nothing new for me to say that I don't think the system here is all



set up to work right, and unfortunately it doesn't all the time. For those two members, again, I must say how hard they are working here, that they have nothing to be ashamed of and that they're doing a great job and will be here for a long time to come. Both of them must stay here and fight for the issues their people want them to.

It doesn't look like there's a lot of problems with the other three areas: Ottawa, Northumberland and Sudbury.

**Interjection:** Haldimand-Norfolk.

**Mr Murdoch:** Haldimand-Norfolk is the other one, thank you very much.

There doesn't seem to be a lot of problems with those areas, but we do have some opposition members in those areas who don't seem to want to vote for it. It puzzles me that they would vote against this bill and not try to promote it when it's in their area and the people in their area are for it. It's strange that the ones from Ottawa come here and then vote against it. We have some problems with the ones from Hamilton, and in Sudbury there's a Liberal member and an NDP member, I think, and they both voted against this bill. It doesn't make a lot of sense. I don't know what's happening over there.

As I say, they criticize us for not having democracy. Well, holy cow, look at their record. There are still some Liberals sitting there who were around in 1989. But I have to thank the member from St Catharines for his actions, because he certainly helped me a lot to win my election in 1990. I really appreciate that and I know he continues to help me out, as I try to help him out.

**Mr Jerry J. Ouellette (Oshawa):** I very much appreciate the opportunity to speak on Bill 25 today. There are a number of issues I'd like to bring forward. First I'll talk about the council size reduction, and I'd like to link this back to my own riding of Oshawa and what has taken place and what is expected, or the conversations that are taking place in Oshawa.

Oshawa came forward in the past knowing that we were restructuring, that we were talking about restructuring and were looking at that mostly for the future of the constituents, because people have to realize that there is only one taxpayer out there. In Oshawa we substantially reduced the number of Oshawa representatives, as it relates to the regional council, in the last election. I know that this bill that has come forward has caused a big stir in the community, in that a lot of people are talking. They're asking for restructuring to continue, in that Oshawa made the first commitment by reducing its own council members and representatives on the region of Durham. Now they're asking about—everywhere I go I hear different things, whether it's a three-city opportunity in the region of Durham, or one or possibly two cities. It's a regular conversation. What's taking place is that these individuals are now looking at options and bringing them forward, or trying to bring them forward to council, to have their own views brought forward in the municipality of Oshawa and the region of Durham. They know that eventually it's going to take place. That's not necessarily true. However, they anticipate some changes there and they want to have hold of that. I think Oshawa

and the region of Durham are substantially looking at that and are going to commit to that.

I know there's the single-city option for the various communities. When I was in Sudbury back in, I believe, October, I was doing a speech and after the speech a large number of individuals came forward to me before Bill 25 was even introduced, pushing for the single-city concept within that region. They felt it was more responsive to the actual members and more cost-effective. That's effectively what we're looking for, cost-effectiveness to ensure people are receiving good value for their dollar when they're electing individuals.

We have so much duplication throughout my own municipality. Whether it be crosses between regional plows and municipal plows etc, with the number of municipalities that exist in the Sudbury area, it only makes effective decision-making matters that much better because as opposed to seven or eight service providers providing the same services, which you effectively do, you now come down to one.

The service providers remain the same. Those opportunities are there. It's the administration aspect where the big savings are. I think all would agree that the savings in administration are necessary, because as I have said before, time and time again, it is necessary to reflect on the fact that we have one taxpayer out there, whatever way we look at it.

The member from St Catharines has said it's not true. However, certain things can make it not true. Eventually they'll come to the fact and during the transition stage I'm sure there will be opposition and the figures will come out, "There isn't a substantial cost-saving potential," but down the road you're going to see that cost savings in a number of ways, one of which will be a lack of increases that take place. There's a substantial saving potential there in the future.

**Mr Bradley:** You won't see it. You've been sold a bill of goods.

**Mr Ouellette:** I think there will be, and I think that eventually the taxpayers are going to come and demand that cost savings. The member for St Catharines doesn't believe that's going to happen, but I believe it will. I think the constituents out there will come to demand cost-effectiveness in that matter.

As well, the directly elected chair for Halton—I know it personally. I had submitted a bill that dealt with directly electing the regional chair for the region of Durham. There was substantial support and there still is in our area. This is one of the ways that brings responsibility directly to the chair itself, as opposed to the indirect election whereby the chair is responsible to the elected officials. They're now directly responsible to the constituents within the riding. That makes a great deal of sense. I know there are a lot of individuals who were in opposition to it, but the bulk of individuals within the riding or in the region of Durham appeared to be supportive of directly electing a chair in the region.

I know the community of Oshawa has substantially pushed forward and is currently reviewing various pro-

posals to come forward with reduced size, not only in the region of Durham but also on the local council, as they've done once already for the next municipal election, and I expect we'll see some shortly.

I know there are other members of my caucus who wish to speak and I will yield the floor to the member from Durham.

**Mr John O'Toole (Durham):** It's my pleasure, and I thank the member from Oshawa for sharing his time with me, as I did want to get on the record because we, along with the other MPPs in Durham, do listen and try and respond to the issues that are current in local government. This really does send a clear signal. If you're talking about municipal restructuring, all of the participants are paying very close attention.

But the member from Oshawa was right in his remarks that currently—just last week in fact, I know that Councillor Drumm from the town of Whitby and others had a very serious debate on resizing the government for the next municipal election in Durham. I think it's a direct response to what the people of Ontario want, which is more accountability in government. They want smaller, more effective decision-making mechanisms. I spoke with Councillor Mutton, who's a regional councillor from the municipality of Clarington in Durham. Councillor Mutton, along with many other councillors, had a very serious resolution which I believe is going to a regional retreat in the new year. The region of Durham is going to have a retreat and I think a very important part of that retreat is going to be the very issue of governance.

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When I speak of governance, one of the options they put on the table which I thought was rather unique—I believe there are eight municipal areas in the region of Durham and they voted on a resolution in committee to eliminate the mayors as representatives on that committee. I know the regional chair, Roger Anderson, was unable to make up his mind. I wasn't sure exactly where he was coming from because he's elected by the council itself, not at large. The member for Oshawa, Mr Ouellette, has moved a private member's bill. Yet when we look around, the region of Sudbury and other regions have gone in that direction where the regional chair is directly elected.

The whole issue of this bill has a lot of currency and it's a very important signal to all of the local and regional councils, not just in the 905 area but indeed across the province. When I talk to constituents, whether it's in Blackstock or Hampton, Newtonville or Newcastle, for that matter, to name but four, I know they are always telling me that they first want effective—it's almost like a triple E. They want elected and effective and equitable representation.

**Mr Bradley:** Sounds like the Reform Party.

**Mr O'Toole:** No, I think it's very much an issue that's been before it. Federal governments have been unable to deal with it, but there's local government taking the signal of this government. We resized ourselves, reflecting the decisions made at the federal level, to 103

members in Ontario from 130; that's 27 fewer. I think it's an appropriate decision for local governments to make. That being said, and having served both at local and regional level in representing the municipality of Clarington on Durham regional council before I got here, when I walked in there the first time there was something in the order of 60 people sitting around a table trying to make a decision. It became a decision-making process by committee and by the time it got to the council as a whole it was almost a fait accompli.

I pay a lot of respect to Councillor Drumm and his motion. There will be disputes, I'm sure, between the mayors. The mayors have for some time effectively run it. The executive committee makes a lot of the important decisions. Their argument was, though, that if you had regional council with a clear division of authority between local governance and the regional level of government, such issues as public works and planning, which need to be coordinated intermunicipally—I think they should be working closely with their local council if that in fact is the organization they have.

Certainly the mayor has a difficult job to respond to the constituent concerns for all of the wards, whether it's the town of Whitby or Ajax or Pickering or Brock or Scugog or Clarington or Uxbridge. I would say that you have to go up to Brock. Each of those little municipal areas have unique decisions that need to be made for that council. Whether it's services to seniors or the condition of rural roads, I think the mayors can inform the upper-tier member whether it's at the regional level and the decisions could be made in a more inclusive way. Rather than just have one point like the mayor, I think the model they're proposing is two councillors from each of the lower-tier municipalities. So you'd end up with a more clear line of decision-making, a smaller and more effective representative model, and the voices there would be elected and accountable to the local level.

But I think the organization and division of authority is a more important issue in the governance considerations. In that respect, for instance, in our region, as in most regions, at the upper tier they have water and sewer and at the lower tier they would have local roads. I can recount an experience I had just recently where on a local road there was a water main that broke and had to be repaired. The road surface itself had to be repaired by the local level of government and yet the pipe underneath that surface had to be repaired by the upper-tier level of government. There's a case where the coordination took probably three days or longer to fix that problem. If there had been one level looking after it, perhaps we would have had faster and more effective delivery of service to the people who are actually paying.

For years, we've been talking about the importance of coordinating waste, for instance, which is a regional authority, and a levy charge for that to the residential base on the regional tax bill. But if I look across Ontario, I know it's complex and each area has its own particular needs. I thank Minister Clement for the decisions they made with respect to Bill 25, respecting that each area has slightly different needs.



Anne Golden said in their report on the GTA that certain areas within the GTA are not as well developed and perhaps not as mature. When I look back to my riding, my riding has a pretty intensively fast-growing part in the north part of Oshawa and the Courtice and Bowmanville areas, and yet if I move up to Blackstock and further north, I would say in the Scugog area and Brock, perhaps that area, it isn't as well developed with infrastructure like water and sewer and transit issues.

But there are a myriad of issues that I believe the upper-tier level of government would be more in a position to make the best decision for the greatest number of people within the region of Durham, whether it's in economic development or public transit. Public transit is another case where a local level has commissions and those commissions are making decisions about where the bus routes stop and where the other municipal bus commission picks up. But I think they should have a coordinated transit system, as they've done in Toronto and as the GO system is attempting to do across all of the GTA.

This governance decision and this particular legislation has been a commitment. It's sort of like the old mantra here: A promise made is a promise kept. But we did in fact—I think starting with ourselves, if you really want to get right to the root of it—we committed to reducing the size of provincial government. We also committed to follow up with those municipalities, like Ottawa-Carleton, which have been struggling with this issue of amalgamation for many years.

I'm certainly anxious to hear the debates. I've heard the members from the Hamilton area and how concerned they are, because that has been an anguished issue. In Ottawa-Carleton, I can recall when I was a councillor, the single-tier study that was done at that time, and it was very difficult to make a decision. Of course the government of the day, in 1990, was unable and would not make a decision.

So it's my understanding that these four regional governments, whether it's Haldimand-Norfolk, Sudbury, Hamilton or the Ottawa-Carleton area, had really requested the minister to intervene. It's on the record that the member of the opposition party clearly stated that he would bring some authority to the decision-making process, and now it appears that he would vote against this bill. I don't think leadership waffles on very difficult decisions.

Of course in a democratic process you'll never satisfy everyone. That's virtually impossible. But I think exploring new opportunities to make sure that we reduce the costs and hold local and regional governments accountable is really what this is about, and respecting differences within regions. I think all of that is within Bill 25, and I'm confident that other members may wish to have some words on this, but I know for our side that it has received extensive discussion in caucus. There is appropriate language in the bill now to address some of the areas, whether it's in Hamilton or the Carleton area, to allow the people of the areas to have a look at it in the future.

I know that from my area there are five members in this caucus who are looking very consciously, and I want to state for the record that we're willing to work with the mayors and councillors of the day. Of course, as we look to a municipal election in 2000, I know that this will be front and centre in the electorate's mind, and they'll expect the government of that day to deal with it and at that point bring their concerns to the attention of the minister. I'm sure this government will deliver on its promises.

1950

**The Deputy Speaker:** Comments and questions?

**Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell):** I was just following all the speeches from the government side. I could tell you that it's very easy to try and tell the people why they are voting for one city. We agree with the one-city concept. The only thing is that we hired a competent commissioner, but at the present time I don't know if they would hire this man again because they're not following his recommendations. They disregard a lot of sections.

When I look at sections 4 and 5, when they say, "Ottawa will be legislatively designated a bilingual city, with services to be provided in both official languages where warranted," I don't know why we're not including this section in the bill. But we also have to remember when this government passed Bill 108. I remember that was the downloading of summonses to the municipalities.

The former minister responsible for francophone affairs said, "Yes, it is included within the bill that municipalities within the 23 regions that have to give services in both French and English will have to continue." They contacted ACFO, they contacted AFMO, they contacted the Association des juristes d'expression française de l'Ontario and they convinced them all, but finally nothing was in the bill.

After that, here in the House we questioned the former minister, and he said: "Yes, we will make sure that the services are given in both languages. We'll get them to sign an agreement with us." Nothing has been done, and today they're saying, "No, it is left to the municipality." Whom should we believe in this?

There are a lot of recommendations in there that we just don't follow.

**M. Gilles Bisson (Timmins-James Bay):** Voici encore une autre instance où ce gouvernement provincial a l'occasion, et est en train d'essayer de jeter sur le tas les droits des francophones, les droits linguistiques de la province. On a vu à travers la législation dans le dernier parlement où le gouvernement provincial de Mike Harris, le Conservateur, essaie toujours avec sa politique de s'organiser pour retirer de la communauté francophone les services qui sont importants pour nous.

On voit dans ce projet de loi 25 qu'on a un gouvernement provincial—ce n'est pas entendu mais c'est vraiment quelque chose d'épouvantable à voir—qui ferait une réforme telle qu'ils sont en train de faire quand ça vient aux municipalités d'Ottawa et Sudbury, deux

communautés où les francophones sont majoritaires ou bien proche de l'être, et ce gouvernement n'a pas le coeur, n'a pas la bonne volonté, n'a pas la politique ou la pensée pour s'organiser à dire : « Oui, on va protéger les droits linguistiques des citoyens de la communauté d'Ottawa et de la communauté de Sudbury ou de n'importe quelle municipalité qui serait impliquée par ce projet de loi. » Quand on a un gouvernement provincial qui est prêt à aller à ce point-là, franchement il faut se demander où ça va s'arrêter.

Je vous implore une autre fois : vous avez l'opportunité comme gouvernement de garantir clairement les droits des francophones non seulement à Ottawa, non seulement à Sudbury, mais à travers la province où les municipalités vont être affectées par le projet de loi 25. On vous demande de donner une garantie dans la loi 25 qui dit que, s'il y a des services qui sont présentement offerts aux citoyens d'une communauté municipale, leurs droits linguistiques vont être protégés dans la loi. Si vous n'êtes pas préparé à donner cet amendement, si vous n'êtes pas préparé à faire les changements nécessaires à la loi, ça me dit une affaire très simple : vous êtes un gouvernement antidémocratique et antifrancophone.

**Mr Bradley:** In response to the speakers, first of all if you're wondering why we find this bill repulsive, I find the Henry VIII clause very repulsive—the clause that gives the government, that is the cabinet alone, the power to change any and every law necessary to accommodate the restructuring in any area. That is draconian to the greatest extent. That is the most undemocratic of provisions. If you want to come into the House in January and February and justify those changes, that's your business, but that is totally undemocratic. The 75 petitioners who can overcome the restructuring plans of locally elected people simply by saying, "We're not satisfied with that; we want to go to the province," I know who they'll be. They will be members of the Progressive Conservatives or, more important, very likely the Reform Party.

I want to say in response to my friend from Bruce-Grey, who characterizes himself as a rebel when he's up in Grey county but when he comes down here is strictly a government man—he votes the government, talks with the government—

**Mr George Smitherman (Toronto Centre-Rosedale):** He's all show and no go.

**Mr Bradley:** He's all show and no go. I can remember when we had to save Grey county from somebody giving out severances willy-nilly to friends. That was happening up in Grey county. I can remember when a man of integrity of that time, the planner, resigned as a result. I can remember that the Ontario Ministry of Agriculture and Food was opposed to a subdivision, but somehow it has been manoeuvring through.

I'll tell you, the people of Sarnia wish that in 1997 they had had somebody from Toronto intervene. There was no hearing held and now we have a leaking toxic dump in Sarnia.

**Mr Peter Kormos (Niagara Centre):** I should indicate that our critic, Gilles Bisson, will be speaking to

this, as well as members from Hamilton and Toronto and Sudbury, very shortly, in the limited amount of time that's available to us because of time allocation. But I also want to tell you that this is of great concern to me because I'm convinced that Niagara region is next on the list. You folks better know now that people in Niagara region want no part of a dictatorial imposition of new governance on their communities.

You should be aware of a survey that was done that was released last week that indicates that 65% of Niagara residents oppose amalgamation into a single city of Niagara and that 85% of residents want a referendum on any proposed changes.

I know where Jim Bradley stands. He stands in support of local determination of governance. I stand in support of democratic and grassroots determination of how people develop their communities and govern their communities.

We have two colleagues from the Conservative caucus. I'd like to know how the one is going to explain to Niagara-on-the-Lake what business it has being part of a huge Niagara megacity. I'd like to know how the other Conservative member is going to explain to the folks from Fort Erie, who have managed their community very well, thank you—a 1% drop in property taxes this year, a proposed 2% drop in the coming year. How's that member going to explain to them how they're going to fare better in a megacity where there's going to be higher taxes, less access to and less accountability by elected politicians, where only the very wealthiest and most powerful will ever run for city council. You guys are in for the fight of your lives when you try shoving this down the throat of Niagara.

**The Deputy Speaker:** The member for Durham has two minutes to respond.

**Mr O'Toole:** I think the member from Niagara Centre makes a very good point. It's very difficult sometimes to identify where members on the other side of the House sit, but it is clear on this side of the House that the members from Wentworth-Burlington and the member from Stoney Creek clearly stood up for their constituents.

On the other hand and for the record, I want to point out the member from Hamilton West, the member from Hamilton Mountain and the member from Ottawa South clearly have not stood up for their constituents or have not stood up to defend the actions they said prior to and during the provincial election.

For our area, I can only speak on behalf of the elected people there. Joe Drumm, a regional councillor from the town of Whitby, moved a notice of motion on December 6, it was seconded by Councillor Perkins, and they were asking clearly to resize government. With their actions and the tough decisions that they are prepared to make, I know that the members here, whether it's Jim Flaherty, Janet Ecker, Chris Hodgson, Jerry Ouellette or myself, will work with those members. They know they can count on this government to make the tough decisions, unlike the members on the other side who are speaking, by, really, that collective action of standing up and being



counted. Toni Skarica spoke with such passion and I can respect that. I know our leader gave him that opportunity. The member from Stoney Creek as well. They were very courageous to stand up for their constituents in this House, unlike the people on the other side of the House.

As I just take a couple of minutes, I'm only picking up on the comments made by the member from Niagara Centre, but clearly it is difficult to make difficult decisions, but stand in your place, vote to represent your constituents and they'll respect you in the end.

2000

**Mr Dalton McGuinty (Leader of the Opposition):** Mr Speaker, just by way of preliminary comments I want to inform you that I will be sharing my time this evening, the one hour that our party has, with the members for Hamilton East, Sudbury, Ottawa Centre and Parkdale-High Park.

Let me say at the outset that it is a distinct pleasure for me to stand today in opposition to this undemocratic omnibus bill, a bill that is absolutely breathtaking not only in terms of the number of communities it is going to restructure in one fell swoop, but also in terms of the breadth of the new powers that the government is creating for itself.

Let me say right off the bat how deeply disappointed I am in the Premier, because despite all the rhetoric about how tough he is, when it came to this particular issue during the time leading up to the election and during the course of the election, he chickened out; he refused to tell Ontarians exactly what his plans were, the plans he had hidden up his sleeve. Just like his secret plan to close hospitals in the 1995 election, Mike Harris kept quiet his secret plan to restructure Ontario municipalities in the recent 1999 provincial election.

Not only did he keep his secret plan from voters, he kept it from his own candidates. That is why we have the spectacle now of witnessing Toni Skarica, Brad Clark, John Baird, Norm Sterling and Brian Coburn, who find themselves having to choose between voting either for a bill, the very provisions for which they stood dead set against during the election, or honouring the commitment made to their own constituents and voters that said they would never, ever stand up in favour of a megacity in Hamilton or in Ottawa. I think we have to conclude that at the end of the day Mike Harris was very successful in tricking his own candidates, and they went out and campaigned very hard on this issue. They knocked on doors, they printed literature and they said they would swear on a stack of Bibles that if they were elected this would never, ever happen.

When people asked, "How can we trust you on this very important issue, an issue of the utmost importance to us here at home?" they said, "Listen, Mike Harris gave me his personal assurance, and you can trust Mike Harris, because whatever Mike Harris says, Mike Harris does."

Very shortly, when we vote on this bill for the last time, on third reading, these five Tory members—John Baird, Norm Sterling, Brian Coburn, Toni Skarica and Brad Clark—are going to define themselves very clearly

and permanently in the eyes of their constituents. They are going to bring their character as representatives into sharp relief for all their voters to see. If they vote in favour of this bill, a bill whose provisions they were dead set against at election time, they will be making it very clear to their constituents that not only does Mike Harris not keep his word, but neither do they. If they vote in favour of this bill, they will be telling their voters that when the going gets tough and they have to choose between Mike Harris and the voters who sent them to Queen's Park, they choose Mike Harris.

So my unsolicited advice to these five is to choose wisely and to choose carefully, and to understand that when you vote tonight you'll be marking yourselves forever in terms of the kind of representative you are.

Let me tell you something about the anti-democratic nature of this bill. This bill isn't just about municipal restructuring. It's about weakening our democratic institutions and further centralizing power in Mike Harris's office. So I want government members, the backbenchers in particular, to carefully consider exactly what this bill would do. This bill will actually give the cabinet the power to change and even override any law previously passed by this Legislature. The cabinet will be able to do so without any debate in this House, without ever having to move first, second or third reading in this Legislature. These powers are, quite simply put, dictatorial powers, powers that even the Minister of Municipal Affairs himself admits are dangerous.

He says that he only needs these unprecedented powers for a limited period of time; these unprecedented powers will be a temporary measure. Well, I can tell you that the legislative landscape in our country is littered with measures that were designed to be temporary but proved ultimately to be permanent, the single most infamous temporary measure being of course the income tax.

But even if this measure was temporary, an anti-democratic law is no less anti-democratic simply because it happens to be temporary. We stand against this bill, we oppose this bill, not on the basis of how long it gives the government dictatorial powers, but quite simply because it gives this government dictatorial powers in the first place.

Let me say to the backbenchers, if you think you have no say on government policy today, think of what it will be like—

*Interjection.*

**Mr McGuinty:** The member asks how I know. Because I can see it in your face. If you think you have no say on government policy today, think of what it will be like when the Premier's office doesn't even need your vote to amend legislation. There will no longer be any room left in the Tory caucus for thinkers. There will be no need for thinkers in the back bench.

A Premier who fools his own candidates at election time, a Premier who takes power away from this Legislature, including his own back bench, is a Premier who is supremely arrogant. So it comes as no surprise that

Mike Harris didn't listen to his own special advisers who had urged him to make sure that he provided adequate, sufficient transition funding, who said that if Mike Harris was going to impose restructuring on local communities found in every corner of this province, then it was absolutely essential that the province should help cover those transition costs. But Mike Harris refused to listen—again. His arrogance got the better of him—again.

Not only has he failed to guarantee adequate transitional funding, but he has gone out of his way to punish local taxpayers in the existing city of Ottawa, and he's doing that by insisting that all of Ottawa's assets are to be shared in the new city but Ottawa alone is going to remain responsible for its debt. I can tell you that not only will this prove to be an accounting nightmare, this is patently unfair to the residents of the existing city of Ottawa. What the government is in effect saying to Ottawans is: "From now on everybody gets to use your home, everybody gets to enjoy the benefits of your important assets, but you alone, the people of the existing city of Ottawa, will be responsible for paying off your mortgage." No objective person, including the government's own special adviser, supports this unfair provision.

2010

We've got to ask ourselves: Why is it that Mike Harris is doing this? Why is Mike Harris about to drive up Ottawa property taxes? I'll tell you why. He's doing this as a sop to John Baird, who is now in deep political trouble. Not only is John Baird the minister for francophone affairs who has abandoned francophones in Ontario, but he's also the minister from Nepean, of Nepean, who represents Nepean and who tonight, when he votes in favour of passage of this bill, will be signing the death warrant for the city of Nepean.

That's why we have this unfair provision in this bill. This discriminatory tax regime is being imposed on the new city of Ottawa and it may be of some immediate benefit to the people of the city of Nepean, John Baird's city, but it is a terrible basis, I can tell you, on which to found a new city.

It seems to me that if we are going to build a new city, we should ensure that the founding partners are drawn together in a spirit of cooperation, drawn together because the new relationship will be one of shared benefits and shared burdens, drawn together with a strong sense that in the new city, there will be a sense of all for one and one for all. I can tell you that the John Baird tax regime will make this co-operative, informing spirit all but impossible to achieve in the new city of Ottawa.

Then there is the matter of Ottawa's bilingual nature. I want to quote from Glen Shortliffe's report, the man chosen by Mike Harris to carefully consider the city of Ottawa, the surrounding communities and to come up with intelligent recommendations that accurately reflect the character of my community. This is what Mr Shortliffe said: "One of the most important issues raised during the public consultation process was the question of bilingualism. As noted earlier, more than 15% of the

population of the new city will be francophone." By the way, that translates into 120,000 francophones living in Ottawa-Carleton.

I continue: "Ottawa is also unique among cities in this province and country in that it is the capital of Canada.

"Our nation has two official languages. Our national government, centred in Ottawa, operates by law in two official languages. The national capital must be reflective of the character of a country as a whole and must recognize the presence in its population of a significant minority of francophones. In consequence:

"I recommend that the enabling legislation establish and designate the city of Ottawa as officially bilingual in French and English."

What has been this government's response to this? What has been Mike Harris' response to this? Sadly and tragically, it has been the same response offered by the minister for francophone affairs, John Baird. These two maintain that this is strictly a local issue. Mike Harris and John Baird are saying that the decision as to whether or not Canada, an officially bilingual country, should have as its new capital an officially bilingual city is strictly a local issue to be lumped in with other kinds of local decision-making like dog leash laws, beach closings, bus routes, garbage pickup.

I want to tell you that we in my party see this issue decidedly differently. We see this as an issue that cries out for leadership. We see this as an issue that demands that Mike Harris step up to the front and say loudly and proudly, "In my country, Canada, an officially bilingual nation, I will be proud to proclaim the new capital as an officially bilingual city." Instead of championing a bilingual Ottawa, Mike Harris, like John Baird, has run for cover. Both have now made it clear that as far as they're concerned the new city of Ottawa, Canada's new capital city, need not be bilingual. That's what they have said, the government of Ontario, one of the founding partners in Confederation, one of the original partners to the original pact that said, "We agree that in our new nation there will be two languages, two religions and two cultures." Now we have the government of the day ignoring that history, ignoring their responsibility to ensure that in our province we protect the minority rights of francophones and to ensure that in our country we have as our capital an officially bilingual city.

It is with a great deal of sadness that I have to report that my community, Ottawa, because of this government's refusal to play a role of leadership in connection with this issue, has been plunged into a divisive, disruptive, ugly and consuming debate. This government has run like a frightened rabbit from an issue that demands our collective best and instead has brought to it their personal worst.

J'ai un éditorial qui a paru dans *Le Droit* du 7 décembre dernier qui décrit très bien ce que Mike Harris fait aux francophones de l'Ontario. Je cite :

« Ou bien les conservateurs de Mike Harris n'ont rien compris, ou bien ils ont décidé de provoquer la communauté francophone de la région de la capitale nation-



ale. Entre l'ignorance crasse et la mauvaise volonté, il y a un fossé que le gouvernement Harris prend un malin plaisir à franchir...

« La goutte qui fait déborder le vase est la décision du gouvernement de ne pas désigner officiellement bilingue la nouvelle ville d'Ottawa qui émergera de la fusion des 11 municipalités d'Ottawa-Carleton. Pour bien comprendre la signification profonde de cette gifle, il faut réaliser que la capitale nationale d'un pays officiellement bilingue, membre du groupe des sept pays industrialisés les plus puissants de la planète, leader mondial pour la qualité de vie, dirigé par un Québécois francophone, ne jouira même pas du même statut que ce pays dont elle se veut le reflet.

« Au fin fond de cette désolante attitude se projette le spectre de l'intolérance et du rejet.

« Provoquer pour faire réagir; provoquer pour affaiblir; provoquer pour diviser; provoquer pour appauvrir; provoquer pour rapetisser. La stratégie se montre au grand jour et le risque est calculé. »

Mr Speaker, you will know that we have asked Mike Harris to grant us public hearings. We've asked him to allow those people who are going to be affected by the provisions of this legislation an opportunity to comment. There was a time in this Legislature where that was common practice. You introduced a bill, it received first reading, it then went on to second reading, and then members of this Legislature physically removed themselves from this precinct and went on the road and took the legislation to the people of Ontario and were eager to hear from those people.

Apparently that practice is anachronistic. Apparently it is now a thing of the past. Apparently it gets in the way of the expeditious passage of Tory legislation. Not only was Mike Harris too arrogant to allow public hearings, but he has also denied us the opportunity to even introduce amendments, to at least go some way towards making repairs to this highly defective bill.

2020

I can tell you that even before the bill was introduced we asked the government not to introduce a bill in an omnibus form. We said that if there were four separate special advisers who came up with four separate sets of recommendations affecting four separate and distinct communities, then surely, logically and in fairness there ought to be four separate pieces of legislation.

Not only do we not have four separate bills before us today, but what we have is the spectacle we're called upon to address in this legislation, as legislators, of dealing with a bill that talks about Hamilton, Ottawa, Sudbury and Haldimand-Norfolk all at once and would have us consider their restructuring fates all together, but at the same time this bill lumps in legislation on the number of Toronto councillors, legislation addressing Waterloo transit, legislation affecting how the Halton regional chair is to be elected, legislation governing new referenda rules and much, much more. All of this and just four short days of debate in this Legislature. If that isn't

arrogance, if that isn't a government that is drunk with power, then I don't know what is.

We understand now, of course, that there was a method to this government's mad rush to get this bill through. The government didn't want the public to catch on to what was to be found inside the bill. But I can tell you that we in our caucus have worked hard and have achieved success. We have exposed this government's dictatorial power grab. We have exposed your plan to allow 75 petitioners to wreak havoc in every county in this province. We have exposed a Premier who is too small-minded to understand how important a bilingual nation's capital is, not only to our province but to our country. We have exposed a minister for francophone affairs who has both betrayed and forsaken francophones. We have exposed an arrogant government hell-bent on ramming through an anti-democratic bill.

In conclusion, I want to tell you that I am proud to lead our caucus in opposition not only to this anti-democratic piece of legislation, but also to lead this caucus in our continuing opposition to this arrogant and anti-democratic government.

**Mr Dominic Agostino (Hamilton East):** I'm proud to follow on the comments of my leader, Dalton McGuinty, and his very eloquent speech which outlined the flaws in what is clearly one of the biggest power grabs in the history of this province, by this government.

I rise tonight with mixed emotions on a very difficult decision that we're faced with. As someone who for the past 12 years has fought in favour of one-tier government for Hamilton-Wentworth, I face the task tonight of having to vote against this piece of legislation by virtue of what this government has done with this bill and how they have distorted and taken away the democratic rights of Ontarians to deal with municipal restructuring.

It's the same difficult decision that I know my colleague from Hamilton Mountain faces and that my colleague from Hamilton West faces. All of us who have stood together and fought for what was in the best interests of Hamilton-Wentworth feel tonight that this government has betrayed the trust of the people of Hamilton-Wentworth and the other regions involved by this piece of legislation.

This bill lumps at least five municipalities in restructuring and downsizing and elected regional chairmen and so on into one massive bill. This bill gives new dictatorial powers to the Minister of Municipal Affairs to change any part of this legislation at his whim, in cabinet, in secrecy, without the public seeing the light of day.

This bill does not provide for transitional funding for my municipality of Hamilton-Wentworth, funding that is estimated to be at \$50 million, our cost of transition. This bill does not provide for public hearings where the people of Hamilton-Wentworth and Sudbury and Ottawa and other regions would have an opportunity to give some input and suggest amendments and changes to this bill.

In my own region this bill does not give adequate representation, in my view, to the people of Stoney Creek and Glanbrook and Ancaster and Dundas and Flam-

borough. Again, public hearings would have given us an opportunity to address those.

It is difficult tonight because this government, through their arrogant, stubborn approach to restructuring, has taken what should have been a good piece of legislation for Hamilton-Wentworth and Ottawa and other regions and turned it into an absolutely disgraceful mess.

Tonight is really for Hamilton-Wentworth. I want to focus my comments on my region, the second chapter in municipal restructuring. Twenty-five years ago in this same chamber a Conservative government led by Bill Davis imposed regional government on Hamilton-Wentworth against the people, against the will of Hamilton-Wentworth. Twenty-five years ago in this same chamber the late Mayor Victor Kennedy Copps was dragged out of here kicking and screaming by the OPP from that gallery in opposition to this, because he believed very clearly that what that government was imposing at that time was wrong. Mayor Copps stood in principle, and so did the people of Hamilton, in fighting a Tory government at that time.

Tonight we have really what is a second chapter in the process and evolution of the region of Hamilton-Wentworth, and I'm pleased we have with us tonight the regional chairman, Terry Cooke, in the west gallery. I know tonight for different reasons, and certainly in looking at Hamilton-Wentworth, it is a proud evening for Mr Cooke. He has run two successful elections as regional chairman on the basis of one tier for Hamilton-Wentworth, and he received the majority of the votes in every single municipality in Hamilton-Wentworth in the past two years in his fight for a one-tier government. He has invested more political clout and more political capital in this issue than, I would suggest, any politician in this House or outside this House.

I want to congratulate Terry Cooke for his efforts, his dedication, his persistence in bringing about one-tier restructuring for Hamilton-Wentworth. Unfortunately, for me as a legislator, who not only has to have the interests of my own community but the interests of the province as a whole when I make a decision, I cannot support this piece of legislation in front of us tonight. I can't support it for the reasons I stated earlier. However, I believe that clearly, for Terry Cooke and many of the folks at Hamilton-Wentworth, tonight is a night of vindication and a night they should be proud of, because they have got to this stage through their hard work and dedication.

As we go through this debate, we hear government members say, "The problems of the bill can be fixed." We hear the government members say: "Trust us. We'll fix it." May we remind this Legislature that it was this same Premier who a week, two weeks, three weeks, four weeks before the election stood up and said very clearly to the people of Hamilton-Wentworth, "We will not impose a solution on you." Brad Clark, the member for Stoney Creek, believed him and told his constituents so. Toni Skarica, the member from Wentworth-Halton, believed him and told his constituents so.

Although I disagree with the position taken on restructuring by Mr Clark and Mr Skarica, I understand very clearly how they feel betrayed by this Premier and by this government, how they feel let down by the government they ran for. They were promised during the campaign, and the people of Stoney Creek and Flam-borough and Dundas and Ancaster and Glanbrook were promised, by the Premier of Ontario, whose word you should be able to trust and believe, that he would not do this.

I know Mr Clark and Mr Skarica believed the Premier of Ontario. Unfortunately he let them down and he let the people of those municipalities down as well during the campaign.

### 2030

During the campaign we made clear what our position would be. We were upfront and honest with the people of Ontario, and the people of Ottawa and Hamilton. We said we would give a period of time for a local solution. Failing that, we said we'd bring in an adviser and bring about a solution if one could not be found locally.

There are substantial differences in how we would have handled this bill. A Dalton McGuinty government would not have lumped the municipalities into one bill. We would have had a separate bill for Hamilton-Wentworth and one for Ottawa. We would have addressed the issue of transitional funding, to make sure municipalities were given adequate funding for this change. Our government would have had public hearings. We would have gone to the people in those communities and said, "How can we fix this bill, how can we fix the problems you see in it, how do we make it a better piece of legislation?" This government has not done that. We would have substantially increased representation for the outside areas, the areas that feel they are under-represented. We would have made this bill a piece of legislation of which both the people of Hamilton-Wentworth and the people of Ottawa-Carleton would have been proud.

This government lost that opportunity. This government blew the chance to do the right thing. It became an exercise in power-grabbing. It became an exercise in giving themselves dictatorial powers. It became an exercise in simply trying, at the last moment before this House breaks, to give themselves more power than any government in the history of this province, and to impose their will on the people of Ontario without public consultation. That is a disgrace. It is a disgraceful performance by a government that has become arrogant in many ways and, I suggest to you, has become corrupt with power. This bill is a fine example of that.

It bothers me no end and it makes me angry that this government, in their unprincipled and, I suggest, immoral approach to this issue, is forcing me to vote against this piece of legislation. I believe that one-tier municipal restructuring is in the best interests of Hamilton-Wentworth. I've had the privilege and good fortune to live in Hamilton most of my life. My parents immigrated to that great city over 30 years ago. They worked hard,



raised a family and taught us the value of trust and community involvement. They made sure we understood that being a member of our community had many rewards but also many responsibilities.

Each community is distinct. Hamilton East, my own riding, a strong manufacturing and industrial setting, is home to many hard-working families. Our wonderful mix of residents is different from many other parts of Ontario. Everything we do in this Legislature has an impact on every community across Ontario.

However, as it relates to our region, our sense of community, our sense of pulling together, our sense of working as a unit has been lacking over the years as a result of the structure and the type of government we've had. The concept of working together in this age of economic change and evolution that we're facing is more important than it ever was. I understand the concern for community identity by the people in Stoney Creek and the people in Flamborough and Dundas and Glanbrook. But I believe a sense of community is not simply in the structure of government that you have. It's a history which will continue; it's the character of the community which will continue; it's the tradition, the festivals and the coming together of people. All of those things will continue in those areas outside the city of Hamilton. I know the people in those regions and those areas will continue the fine traditions and history that they've had.

However, for us to make our community even greater, we need to come together. We need to be one economic unit. We need to share one tax base. We need to work a new structure that has the capability to manage the changes that are occurring across Ontario. We need a unified system of local government in Hamilton-Wentworth to reflect this reality. We need a system that can offer transparency and openness to the taxpayers so we can hold our local government accountable. We need a single local government in Hamilton that will enable Hamilton-Wentworth, with one voice on the provincial stage, the national stage and the global stage, to act together and collectively.

The six municipalities in our region share a single labour market. We have an economic region that I believe is second to none across this country. We must form a government to enable our community to speak with one voice and better coordinate all our resources to compete for investment and jobs across Ontario.

We need a form of local government that will work and knit together the city and the suburbs because their fortunes are intertwined. If the city does well, the suburbs do well; if the suburbs do well, the city of Hamilton does well.

It is for those reasons that I rise with a great deal of sadness tonight to have to announce to the people of my community that I have to vote against this piece of legislation. I say to the Tory government and I say to the Premier, you should be ashamed of yourself for what you have done. You should be ashamed for the betrayal of the people in these communities. You should be ashamed for how you've handled this piece of legislation, and for

missing a golden opportunity, just for once, to do the right thing. You didn't have the political will to do it. You were more interested in playing cheap, political, sleazy games with the people of those regions rather than bring in good legislation that was beneficial.

Although it's difficult, I feel very strong and very principled in standing here this evening and speaking against this dictatorial, bully, thug bill that Mike Harris and his henchmen are bringing about. I think time will surely show the flaws in this piece of legislation, and time will clearly show once again that the Mike Harris approach to simply grabbing power and being a dictator in everything they do—and let me you, what you've done with this legislation would make most Third World dictators blush. You've outdone them all.

I stand united with my colleagues tonight in voting against this and I stand united with my leader. May it send a clear message to this government and to the people of Ontario that our principles, what we believe in, and our values are more important than the political games they're trying to play across the floor.

**Mr Rick Bartolucci (Sudbury):** I'm very happy to be able to join the debate this evening. As a former city councillor and as a former regional councillor, we all saw the need to find efficiencies within our city and within our region. In 1979-80, we as a council set a goal of becoming debt-free within 10 years. Because we had very good municipal politicians, who not only cared about the people they represented but were fiscally responsible, we were able, in the city of Sudbury, to become a debt-free city by 1989.

We have maintained our debt-free status from 1989 to today. We've been able to do that without raising taxes. We have been able to do that without decreasing services and without raising user fees, up until four years ago, and then we had to decrease services, we had to raise user fees. The reason for that was because of the offloading of this government and because of its downloading on to municipalities. But we in the area of Sudbury, both in the city and in the region, did not lose sight of the importance of finding efficiencies. Certainly I give full marks to the present city council and to the present regional council for the work they've done over the years in ensuring that the people in the regional municipality of Sudbury and the city of Sudbury were always treated fairly and were given the services they required at reasonable rates.

So when the government decided that they would implement a restructuring initiative, I wasn't totally opposed to it. In fact, I think, up until the minister got his hands on the process, it was a rather good initiative. Certainly Hugh Thomas, who was the special adviser to Sudbury, who is in the audience tonight, came to Sudbury and he met with the people. He fulfilled his mandate. He reported back to the minister and to the community what his recommendations were going to be. The reality is this bill does not reflect Hugh Thomas's recommendations to and for the restructuring of the regional municipality of Sudbury.

I guess that's where we have to talk a little bit about this government and its inability to treat areas with fairness. I would love to be able to debate the pros and cons of Hugh Thomas's restructuring report for Sudbury. But the reality is, that's impossible, because Bill 25 does not allow us to separate Sudbury from Ottawa from Hamilton from Haldimand-Norfolk. This government has chosen to put everything in one omnibus bill. What happens, then, is that you have to look for the inequity within the legislation that doesn't treat people fairly.

Let me give you just two examples. In Hamilton, after all this is finished, Flamborough will have the option of opting in or out of this new restructuring plan. In Ottawa, West Carleton will have the opportunity of opting in or out of Ottawa's restructuring bill. But do you know what? With the city of Sudbury, the towns of Nickel Centre, Walden, Onaping Falls, Capreol and Valley East do not have the same opportunity to do that. To me that's blatant discrimination. It may not be on purpose, but it provides for unfairness in the legislation. I believe the residents of the city of Sudbury, the regional municipality of Sudbury, the greater area of the region of Sudbury, deserve the fair and same opportunity as other people who may be located in Ottawa or in Hamilton. That's one place that this legislation isn't fair.

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Another area with regard to fairness that I think we have to comment on is with regard to transitional money for the restructuring plan. Everyone remembers the \$50 million that this government gave to the city of Toronto and the famous words by Mayor Mel: "Show me the money." Mel got \$50 million free. He got another \$100 million one year and another \$100 million the second year in an interest-free loan. The city of Toronto got \$250 million. Chatham-Kent went through the same exercise. Chatham-Kent received \$22 million. The minister has decided that the residents of the city of Sudbury will receive no transitional money, not one penny. Whether or not they realize it, that's called discrimination. You're not treating the people in the region of Sudbury the same way you treated the people in Toronto or the people in Chatham-Kent. The people of Sudbury are concerned about that. Certainly the chamber of commerce has sent a letter to the minister, our council has passed a resolution, and every player in the city of Sudbury and the region of Sudbury believes this government should be picking up the total cost of transitional dollars. Until you do that and until you commit to that, I believe your process is flawed completely.

I'm only going to spend a few moments on French-language services. I would only hope, as Hugh Thomas did, that this government would spell out clearly what its plans are for French-language services. We know that the regional municipality of Sudbury, at its last council meeting, passed a resolution asking—no, demanding—that the minister ensure that French-language services are enhanced and enriched in the new city of greater Sudbury. I only wish this was spelled out somewhere in the report. The reality is, for you not to spell that out

again shows discrimination. I don't know if it's on purpose or not, but it's there. I believe that only you can rectify that problem.

I would suggest to you that it is extremely important for the citizens of Sudbury that your repeal of section 62 of the Public Utilities Act puts our city at a great disadvantage in bargaining with Union Gas to decide the ownership of what's beneath the ground. As you know in this House, and certainly the residents of the city of Sudbury and regional municipality of Sudbury are aware, that is an ongoing battle between the city of Sudbury and Union Gas. The battle is over. The government has stepped in and decided, "If we repeal 62, the big company wins and the citizens of the city of Sudbury lose." I believe that's a form of discrimination. Whether or not you mean it, it's there. So far almost every point that I've spoken about comes back to the fact that there is the feeling that once the minister has touched this, the citizens of the greater region of Sudbury are being discriminated against, and I believe that's wrong.

I believe there are severe flaws with regard to the collective bargaining issues that are spelled out in this legislation. Hugh Thomas did a very good job at solving those problems, or at least recommending what he thought was a solution to those problems. It's not found in this omnibus bill. For whatever reason, it's not found. I wonder, was that on purpose or was it by accident? I would suggest to you that it is critical that you understand the very sensitive nature that this type of legislation has when you talk about collective bargaining and the right of those who are bargaining in a collective manner and in a fair manner.

I believe that an easy way around all the problems I've mentioned would be to have public hearings. My leader, Dalton McGuinty, from the very beginning said that, at minimum, you have to have public hearings. You have to split the bill, you have to go to each of the cities and towns affected and have public hearings. All I really wanted and all the people of Sudbury really wanted was one day of public hearings, one day when you could hear from the people of Sudbury what they felt about this particular piece of legislation. The government will say, "We had 10 years of consultation." You have not had one second of consultation with regard to this bill, this restructuring initiative, with the people of the regional municipality of Sudbury; or with Ottawa or Hamilton or any other affected area. You have not had one single moment of public hearings. If in fact you wanted this to work in the most democratic of ways, you would at least have had one day of public hearings in the city of Sudbury.

**Mr Kormos:** On a point of order, Speaker: This member has carried on with—*Failure of sound system*—NDP caucus.

**The Acting Speaker (Mr Michael A. Brown):** Do we have unanimous consent? No. The member for Sudbury.

**Mr Bartolucci:** It may not be new to Mr Kormos, but he should know that the people of Sudbury are very



concerned about what I'm trying to explain to the government. I suggest to the member that he would do well to listen to what the concerns of Nickel Belt and Sudbury are.

I would suggest finally that, when we're talking about savings, we listen to what the mayor of Chatham-Kent said on December 17. I'm concerned that the members on the government side think there's huge savings in restructuring. The reality is there haven't been huge savings in the city of Toronto. Let's see what the mayor of Chatham-Kent says in his December 17 report in the *Daily News*.

"Chatham-Kent property owners are facing a tax increase next year of 1% or 2%, says Mayor Bill Erickson. That increase would be into double digits if council does not authorize borrowing millions of dollars to purchase big-ticket items.... 'I don't want to borrow money. But it's just not possible to get us out of our boondoggle,' he said.... He criticizes the provincial government for encouraging and forcing the reduction in municipalities and not providing enough start-up money.... 'The dissolution of 23 municipal governments into one 'was not the savings extravaganza we were led to believe it was,' Erickson said."

I believe those are words worth heeding when you decide to vote either for or against this legislation.

In conclusion, I will be voting against this piece of legislation for the reasons I described earlier but also because I was brought up with the old cliché that the end doesn't justify the means, and the means are flawed here.

2050

**Mr Patten:** It's a pleasure for me to speak on this bill—actually, a displeasure, because I find quite disheartening this bill's coming forward. But at least tonight one thing was clear, and that is that our leader, Dalton McGuinty, unequivocally identified, point by point by point, why we from Ottawa did support the idea of having one city and why we can't with what you have introduced and the undemocratic nature of all the things you've introduced in this particular bill.

**Hon Janet Ecker (Minister of Education):** On a point of order, Mr Speaker: I'd like to point out in the gallery Milt Farrow and Hugh Thomas and thank them for their work.

**Mr Patten:** Thank you very much. Welcome. Do it on your time.

In probably an hour and 10 minutes we will see this bill passed by the majority of the members in the House on the government side, with no hearings, being put through in a few days, contradicting the recommendations of the commissioners, not allowing any other kind of input at all. And they call this a democratic institution.

Ian Urquhart said, "As the fall session at Queen's Park winds down, it is becoming increasingly clear just how far the pendulum of power has swung from the Legislature to the executive in this province." There's a clause in this particular piece of legislation that, if for no other reason, I would vote against it, because it gives the power, totally behind closed doors, to the cabinet, the

executive council, to make any decisions they want, any modifications they want, without having to come back to this place, which has the representatives of all the Ontario communities that are affected and representatives from all of Ontario.

So why are we not supporting it? It's an omnibus bill; we advised not to put it all in one bill. Historically, each region had its own piece of legislation; we had a piece of legislation. If we'd looked at Ottawa-Carleton separately, or Ottawa, a new Ottawa bill, believe me, it might be a very different thing. Would it take more time? Yes, it would take more time. Would we be prepared to come back in January for another week or so? Yes, we'd be delighted to do so. But no, the government does not want to do that.

The commissioner, Mr Shortliffe, recommended, as was pointed out by our leader, that the city of Ottawa "be legislatively designated a bilingual city with services to be provided in both official languages where warranted." All the government had to do was accept the recommendation—as simple as that. Now, as our leader has said, we're going to have one hell of a hornets' nest in our community, because this will appeal to APEC, those people who want to see only English and don't want to see any French, or any French services even, for some of our francophone colleagues.

He also went on to recommend—and I want to spend most of my time on this because, frankly, my community will be most affected by this; if this legislation is not amended, the taxpayers of Ottawa will be paying more in property tax by virtue of this legislation. Mr Shortliffe recommended that "reserves, reserve funds and net long-term debt be pooled and be carried forward to the new municipality." Of course, what happened? The government wants to change that and say: "Uh uh, no pooling. Just pool the assets. Never mind pooling liabilities."

I want to refer to the member from Ottawa West-Nepean, Garry Guzzo. I thought he made an important point in speaking on this bill on second reading, where he said: "It's true that some municipalities have been frugal, some have been prudent, and others have not; some have major reserves." However, some have major assets.

It also shows that when the new region was in place, Ottawa taxpayers contributed 89 cents of every dollar to the region for its expenditures in the early 1970s. It dropped to 70 cents, but it's probably still fairly high and the largest amount. That all went to put roads and sewers in south Nepean, water and sewers through the rock in the west to form the new city of Kanata, water and sewer lines to Orleans etc, etc. Did it squander its money? No, but it did carry debt because it paid the most amount of money to that.

I only have one minute and I would like to finish on this note: Because this legislation will go through with no amendments, I would like to see the minister stand in his place and recognize the prejudice, tax-wise, that the Ottawa taxpayers will be facing and that he will be able to do something about it by virtue of having some authorities within, by regulation or otherwise, for the people of Ottawa.

**Mr Gerard Kennedy (Parkdale-High Park):** It is a very muffled pleasure to be able to speak tonight. It is our only chance to speak to this bill, our only chance to talk to the Tories, who are like some junkyard dog grabbing again the cuff of the city of Toronto and doing whatever the heck they like, with no more thought, preparation or consideration than some unthinking animal. This is the government that would not listen when the megacity was being brought up and this city voted to have this government respond in a certain kind of way; they couldn't bring themselves to listen to the people who live in this city.

Again tonight we have brought forward to us, in the bluntest, least imaginative and least careful way, some kind of proposition to reduce the number of councillors. Has this government taken the care, or does it even have the care to know whether the megacity is working, to see whether the actual burden they're putting on it, the extra debt, for example, that the city of Toronto has got, the lack of prospects it has for housing, for transit—if those things are working? Does it care whether the largest metropolitan area in the province really is functioning after the experiment foisted on it three years ago? It doesn't, and we have clear proof of that tonight.

A mad rush, an unthinking rush—the pure characteristic of this government to run after what it doesn't understand. And what it doesn't understand is the diversity and the success of this city. It doesn't know why we've got world-class companies here. It doesn't really appreciate why we're able to tolerate and, more than that, respect and understand so many different people, because we haven't had this kind of reckless, backhanded approach to our method of governing.

We haven't tried to do what this strange, strange comic book revolution version of Tories has brought itself to, which is Soviet-style central control. There's only one idea in this unthinking brute, and that is that bigger is better. That idea gets applied over and over and over again, with never any relief, because there simply isn't the care, the attention or the respect for government and the civility of people living together, particularly in a complicated place like the city of Toronto.

Simply put, what we're concerned about is the function of the megacity overall. The number of councillors should relate back to its function in terms of how it allows people of diversity to live together. What kind of communities will they still feel they have three, four, seven and 10 years from now if somebody isn't there to answer their calls, if somebody isn't there to understand a new community coming to this city, being able to appreciate how it needs to be working, getting the care and attention?

Frankly, there are some members opposite who don't live in those kinds of communities, and I don't begrudge them one bit. What I do begrudge is them foisting this without hearings, without listening, a second time. Just to add that extra bit of insult, the salt in the wound is what we have coming from this government. It's very sad. It really reflects, however, what the people of Toronto have

come to expect, and they administered some of the correction they expect at the last election.

While the members across sit floating above their chairs, powered by the arrogance we see from them these days, we understand that there is reckoning for each of these members, who feel so omnipotent that they don't even have to talk to the people who live here, don't even need to try and understand the people who make the real strength of this province. It's not about the dollars, it's not about the taxes; it's about the people who live here and the quality of life they have. You, the government, have made these people feel like they don't belong because you don't give them the time of day. Instead, in some kind of twisted version of big government, you know better, you know what they need and you're going to do it for them. That kind of Tory paternalism went out 50 years ago, and so will you eventually.

We have a job to do here today. Our job is to make sure that the people of Toronto and the people of the other municipalities being crammed together in this incredibly arrogant bill appreciate that this government had choices. It could have gone to hearings. It could have listened to people. It could have come up with, for example, some way to avoid its mistakes. Every single omnibus bill that has passed in this House has cost us millions of dollars, billions of dollars: \$2 billion more for hospitals, huge mistakes in terms of the megacity itself. We see, however, that this unthinking brute, this government that can't learn, can't listen, is going to shove this thing through tonight.

2100

**The Acting Speaker (Mr Michael A. Brown):** Questions and comments?

**Mr David Christopherson (Hamilton West):** In the two-minute response I have, I'd like to pick up on the issue of a number of changes that ought to be made that won't be made because there aren't going to be any amendments; a number of things that clearly ought to be looked at that create real problems for us in the community of Hamilton-Wentworth.

Number one, there's still lots of room in the numbers being put forward on the new city council to provide for more representation for the suburban members. There's lots of room to do that and you would have support from members on both sides of this House, yet because we can't place any amendments, we can't have that debate and that can't be done.

Second, we're told verbally through the Minister of Municipal Affairs that Flamborough, one of the component municipalities in the new city, may or may not be in the new city. We don't know. How the transition board and the regional council and the city councils—and by the way, I would point out that the regional chair, Terry Cooke, is here this evening—make decisions, not knowing what the parameters of the new municipality are, is beyond me. You leave this unanswered.

The Henry VIII clause, the infamous subsection 37(2), where you give yourself the power under regulation to change the very act where the power to regulate comes



from in the first place: obscene, absurd, probably unconstitutional, yet it remains because we can't have any amendments.

The power of the transition board: Again, how the local municipal councils and the regional council decide where they have any authority left is beyond me. This transitional board has all the power, and under this law the cabinet can give them even more power if they decide to.

Lastly, in terms of the transition costs, where's the assistance for what you're imposing? Where's the recognition that the senior level of government, yes, has the power to make this change, but you also have a responsibility to ensure that the local municipality doesn't lose money in responding to your imposed change.

These are just a few of the very things that we could deal with if we had time, but you're shutting down debate and we don't get that time.

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** I rise to comment on the honourable member's remarks—a lot of sound and fury certainly detectable in the tone of his voice. But I want to assure members of this House and the public at large that this bill is about giving the taxpayers a break. It is about delivering services better for less, about the citizenry having services delivered without waste and duplication. That is about how to deliver services in the modern age in a way where there's accountability, where there is certainty that the people of a particular jurisdiction have services available to them in a way and in a manner that is consistent with the demands the citizenry put on their elected representatives. That's what this bill is about.

Is it particular to the areas affected in Bill 25? Certainly not. This has been a challenge that this government has faced since 1995, and it is not particular to these particular jurisdictions. This is a challenge for all of Ontario. This is a challenge relating to how best to deliver the services in a way that is accountable, in a way where the citizenry can be assured that waste and duplication does not occur on a regular basis. This is a challenge that goes beyond Bill 25.

Is Bill 25 part of the solution? Yes, it is. It is a milestone along the journey. But the journey does not begin or end with Bill 25. This is a constant challenge that this government is willing to take on, to make the tough but necessary decisions to ensure that the people of Ontario have better services, have more accountability, have a way to ensure that the services they demand are delivered in the best possible way, both at the local level and at the provincial level. Our job is not done, but we will not rest until we have better services for Ontario.

**Mrs Marie Bountrogianni (Hamilton Mountain):** Thank you for allowing me to enter into this debate. Once again I'd like to say that it's not the efficiency of one-tier government that we're against; we are for this. I was part of the constituent assembly as a citizen and I heard from all sides of this argument that we needed to be more efficient, needed to be more organized and co-

ordinated, and that we couldn't come to a local decision without outside help. We're in agreement with all that. What is disturbing is the omnibus nature of this bill. Non-partisan experts have said that it may be unconstitutional. Why can't we take a little more time? We are willing, on this side of the House, to come back in January for a couple more weeks to hold public hearings. Everyone knows that for a final report to be totally vetted, it has to be given a public hearing, one last time, for the details to be discussed.

**Interjection:** One more delay.

**Mrs Bountrogianni:** One more delay that would be well worth it, because the citizens would get one last chance to look at the details. The devil is in the details in this bill. It's not in its goal; it's in the details.

I reiterate what the member for Hamilton West said about Flamborough. How can the transition board make good decisions when they don't know how one part of the region will fit into this new puzzle? The fact that the cabinet will have all these major powers that, before, were based on democratic vote in the Legislative Assembly is scary.

Of course, one other major problem with this bill—and this is totally confusing to me. What would it take to agree to make Ottawa a bilingual city with this bill, to confirm our capital city as a bilingual city? It has stirred up an already emotional issue in our country and in our city.

As Dalton Camp has said, Harris has brought out the worst in people of this province, and continues to do so with this bill.

**Ms Shelley Martel (Nickel Belt):** In a democratic society people have a fundamental right to determine how they're going to be organized, structured and governed. People in my community under this bill don't have that right. People in the unorganized communities, people in the outlying areas, like the one I live in, will have annexation and amalgamation shoved down their throats. That is one of the most unacceptable aspects of this bill.

But what's worse is that in two Conservative ridings and two communities in those ridings, people will have a chance to have a vote. They cut a special deal for two of their own. Under the bill, section 36, "For the purposes of section 8 ... the minister may require a question to be submitted to the electors of all or any part of the municipal area." So in Flamborough they can decide whether or not they want to be part of Hamilton, and in West Carleton they can decide whether or not they want to be part of the city of Ottawa. I think it's disgusting that a special deal was cut for two Conservative members.

The government tries to sell this on the basis that there will be annual savings, and in my community it's supposed to be \$8.5 million. Well, if only this were so. We know that the region of Sudbury is already going to pick up the costs for the transition team, as per this legislation. By the time this is finished, we'll end up picking up the \$12 million of transition costs as well, under this legislation, because already in the legislation

there is the regulation-making power that the city may undertake long-term borrowing to pay for operational expenditures on transitional costs. So I think it's already in the bill, and when this House is finished sitting, then the government is going to lower the boom on my community and many of the others.

We know that the downloading by this government is going to continue. A month ago, \$56 million was downloaded on to municipalities. In the next two years, when this government tries to save another \$600 million, you bet more costs will be downloaded on to taxpayers in my community.

This bill is arbitrary; it's undemocratic. The powers of the transition team are unbelievable. You may ram this bill through, but there's nothing democratic about it.

2110

**The Acting Speaker:** Response?

**Mr McGuinty:** I listened with interest to the Minister of Municipal Affairs tell us—and this is a common refrain we hear from this government and its representatives—that they made the tough decisions. I can tell you that we have quickly learned that “tough” is code for moving in an undemocratic way and imposing legislation on the people of this province which they've had no opportunity, through us, the duly elected representatives, to properly scrutinize, to intelligently debate; no opportunity to put forward amendments, no opportunity to travel around the province by means of committee and allow people some input into legislation that is about to affect them in the way they lead their daily lives. That's what this government means when they tell us that they make the tough decisions.

It seems to me that if the government wanted to make a tough decision—I gather it's tough from their perspective; it's not so tough from our perspective—then it would proudly proclaim the new city of Ottawa, Canada's new capital, as being officially bilingual. This is hardly a stretch. This is not coming from out of the blue. This is only in keeping with the recommendation of Glen Shortliffe, the man chosen by this government, who carefully considered the unique characteristics of our community and who put forward an eminently sensible and reasonable recommendation. He said it's absolutely essential that in Canada, a bilingual country, we have as the nation's capital a bilingual city. That is a tough decision, and this government doesn't have the guts to make it.

**The Acting Speaker:** Further debate?

**M. Bisson:** C'est épouvantable qu'un gouvernement provincial de la province de l'Ontario s'oppose de la manière qu'il fait pour s'assurer que les droits linguistiques des francophones à Ottawa et à Sudbury et dans d'autres communautés ne soient pas respectés.

C'est épouvantable qu'un gouvernement irait au point où il est allé dans les dernières quatre années pour s'attaquer aux droits des francophones.

Savez-vous, c'est même plus épouvantable que je suis le seul parlementaire francophone qui s'exprime en français contre cette attaque à la communauté francophone de Sudbury et d'Ottawa.

**Ms Frances Lankin (Beaches-East York):** It's incredible to see the haste with which this government continues to act on issues of fundamental importance to citizenry, to citizens, to the democratic process. Here we are again tonight in a situation where the government, because of their time allocation motion, won't even allow us equal participation in debate on fundamental issues affecting our constituents.

I am opposed to this bill for a lot of reasons. I don't have time to list all of them, but let me tell you some of them. This is a forced amalgamation, something that the Premier of this province said he would never do. There is a refusal here to allow democratic input by citizens, democratic control over their own futures of how they are governed, having communities make those decisions for themselves.

It is forcing changes in four different regions of the province—five, including the restructuring of the number of councillors in the city of Toronto—without looking at them individually; all forced through in one bill, when each of the different regions has different issues to be considered.

They cherry-picked from among the commissioners' recommendations. They can't even hide behind the fact that this is what was recommended. We have recommendations that should have been dealt with, in terms of official bilingualism for Ottawa, that you're refusing to deal with. We have extraordinary powers to the transition boards that are being set up, and even more extraordinary powers to the cabinet: the Henry VIII clause that will allow you, with this law, to change any law in the province of Ontario without coming through a legislative process—by the stroke of the pen, done in a cabinet room behind closed doors.

You've now gone about making private deals with Tory backbenchers about what parts of the law will be implemented and what won't. I'm referring to a letter to Bill Murdoch, the MPP from Bruce-Grey, from the minister himself who says very clearly that he will not implement the section of the law that would allow, upon petitioning of 75 members of a community, for restructuring to be initiated. This is not something that's been sent to me. I've not been assured of that for my community. Backroom deals with Tory backbenchers—at least Mr Murdoch got it in writing. I'm sure Mr Skarica wishes he'd got his backroom deal in writing before the election.

Let me talk about what this does to my community, to the community of Toronto, where you are forcing a change in the number of councillors. I've spent time and energy working with people from East York—Team East York, the councillors in East York, the city council—and with members across the floor to bring about a private member's bill to ensure fair representation for the constituents of East York. With the stroke of a pen in this bill you're wiping that out.

How did this come about? It came about because some councillor, rumoured to be Tom Jakobek, met with some cabinet minister, rumoured to be Chris Stockwell, and in



a back room they hatched up a deal and within one week floated the balloon and put it in a piece of legislation and it's here, at the same time as we were out in the community dealing with petitions, moving people forward and their views coming forward to the Ontario Municipal Board about how wards should be structured, about how people should be represented. We were out democratically participating in what we thought was a fair process, while in the back room you were cooking up a deal to strip us of those rights, to strip citizens of their rights, to make their participation absolutely moot, that process absolutely worthless in the whole scheme of things.

It is incredible that we continue to see a government that gives no heed whatsoever to the participation of citizens. A member across the floor earlier said that hearings are just a further delay. They used to be part of the democratic process in the province of Ontario and now listening to the people is just a further delay. You said in your backroom deals with your Tory backbenchers that you can't move an amendment on the section that the minister promises not to implement because there isn't time to move amendments. Why? Because the government House leader will only say: "We'll only give you enough time in committee of the whole to move amendments to deal with our amendments. We don't want amendments from the opposition. We don't want to hear from the people in the community and the issues they would bring forward. We're going to shut down the democratic process, and if you don't agree to it being time-limited, then we won't do anything at all."

That's the democratic process we're left with. People in Toronto have had no say in this bill. We had no inkling before two weeks ago that this was coming forward, and you're going to ram it through and go on your merry way. That's democracy in Ontario. I am ashamed of what this government has become.

**Ms Marilyn Churley (Broadview-Greenwood):** This is no night to be polite in this House, and I'm not going to take the time to thank people for the few minutes I have, the privilege I have tonight, to speak to this bill, a few minutes to talk about a bill that is of such monumental importance to my constituents and indeed the whole city of Toronto.

What a sad and disgusting display of contempt for Toronto by these Tory hordes once again in this House. I am really sick of it and the people of Toronto are really sick of it. There are no public hearings, no amendments—debate cut off. The members of this government know that the people of Toronto voted against the megacity overwhelmingly, but then, after it passed against their wishes, they operated in good faith to at least try to make it work. They went before the OMB committee hearings. Margaret Simpson, a resident of East York, yes, fought hard against the megacity and yes, ended up losing at the OMB, but at least she took part in a process that was put in place for a year and a half after a previous minister, in fact two, said that after they passed the megacity bill they would not interfere, that they would

leave it up to the city of Toronto and the council to decide on the number of councillors and boundaries.

Then all of a sudden, out of the blue, because of a deal cooked up in a back room, suddenly the council has a gun held to their head and they're told: "You cut to 44 or you'll get 22. That's the deal." And suddenly we have city councillors saying, "Yes sir, yes sir, we'll go to 44, because we don't want to be reduced to 22." You've taken away the democratic rights of the people of the city of Toronto and the council of this city.

I used to be a member of the city council. There are other members in this House on the Tory side who used to be—shamefully, I'd say now—members of Toronto city council who sit here and denounce what we're saying tonight and say this is the right thing to do. I don't understand what has happened to these people since they came to government when they think that public hearings and hearing from the people are actually holding things up, a waste of time. But that's what we've come to in this city of Toronto now.

It has absolutely gotten out of hand. There is no justification for what you're doing to the city of Toronto. You made a promise that they could continue working out, structurally, themselves after you forced the megacity on us. This is not a democracy. You laugh over there when we say it's turned into a dictatorship. What in the world would you call what's going on in this place if not a dictatorship, when you will not allow the opposition enough time to speak in the House on it? What do we get tonight? Ten minutes on such an important bill. You will not allow amendments. You will not allow the public to speak to the bill. That is pure dictatorship and it's getting worse daily.

I want to say to people who are watching out there and to people who perhaps are giving up, thinking as they themselves say, "The debate is over, they won again," it isn't over. The debate is not over. I would say to people to keep up the fight, because we can throw those rascals out one of these days, once people see what's really going on, and you sure are helping the people.

This really is about democracy, it really is. I'm disappointed to see that the members don't even see that and won't even listen to it. This government has taken on tremendous powers. They even now are removing entirely the city of Toronto's power to make changes to the number of wards and the number of councillors, and they're not merely suspending it for this election; they are doing that just to the city of Toronto. What is going on here?

This debate will be over in a minute or so, and we're going to take a vote. All these people are going to stand up—they're chuckling and laughing—and are going to vote for this tonight, but what they are doing is unforgivable and they will pay. Mark my words: They will pay.

**The Acting Speaker:** Pursuant to the order of the House dated December 16, 1999, I am now required to put the question.

Mr Klees has moved third reading of Bill 25, An Act to provide for the restructuring of four regional muni-

cipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services.

Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 2122 to 2132.*

**The Acting Speaker:** All those in favour will stand one at a time to be recognized by the Clerk.

#### Ayes

Arnott, Ted	Hastings, John	Ouellette, Jerry J.
Baird, John R.	Hodgson, Chris	Palladini, Al
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Chudleigh, Ted	Jackson, Cameron	Sampson, Rob
Clement, Tony	Johns, Helen	Snobelen, John
Coburn, Brian	Johnson, Bert	Spina, Joseph
Cunningham, Dianne	Kells, Morley	Sterling, Norman W.
DeFaria, Carl	Klees, Frank	Stewart, R. Gary
Dunlop, Garfield	Marland, Margaret	Stockwell, Chris
Ecker, Janet	Martiniuk, Gerry	Tascona, Joseph N.
Elliott, Brenda	Maves, Bart	Tilson, David
Flaherty, Jim	Mazzilli, Frank	Tsubouchi, David H.
Galt, Doug	Molinari, Tina R.	Turnbull, David
Gilchrist, Steve	Munro, Julia	Wettauer, Wayne
Gill, Raminder	Murdoch, Bill	Wilson, Jim
Guzzo, Garry J.	Mushinski, Marilyn	Wood, Bob
Hardeman, Ernie	Newman, Dan	Young, David
Harris, Michael D.	O'Toole, John	

**The Acting Speaker:** All those opposed will please rise to be recognized by the Clerk.

#### Nays

Agostino, Dominic	Crozier, Bruce	Martin, Tony
Bartolucci, Rick	Di Cocco, Caroline	McGuinity, Dalton
Bisson, Gilles	Duncan, Dwight	McLeod, Lyn
Bountrogianni, Marie	Gerretsen, John	Parsons, Ernie
Boyer, Claudette	Hoy, Pat	Patten, Richard
Bradley, James J.	Kennedy, Gerard	Peters, Steve
Christopherson, David	Kormos, Peter	Pupatello, Sandra
Churley, Marilyn	Lalonde, Jean-Marc	Ruprecht, Tony
Clark, Brad	Lankin, Frances	Skarica, Toni
Colle, Mike	Levac, David	Smitherman, George
Conway, Sean G.	Martel, Shelley	

**Clerk Assistant (Ms Deborah Deller):** The ayes are 53; the nays are 32.

**The Acting Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: Given that the Premier is here for the first time in a week, I seek unanimous consent to revert to question period.

**The Acting Speaker:** Do we have unanimous consent? No.

**Mr John Gerretsen (Kingston and the Islands):** On a point of order, Mr Speaker: I would like to request unanimous consent to pass Bill 22, An Act in memory of Sergeant Rick McDonald to amend the Highway Traffic

Act in respect of suspect apprehension pursuits, so that it can be given third reading today.

**The Acting Speaker:** Is there unanimous consent? No, there is not.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** Mr Speaker, I request unanimous consent to be given permission to call again Bill 22, An Act in memory of Sergeant Rick McDonald to amend the Highway Traffic Act in respect of suspect apprehension pursuits.

**The Acting Speaker:** Is there unanimous consent? Agreed.

#### SERGEANT RICK McDONALD MEMORIAL ACT (SUSPECT APPREHENSION PURSUITS), 1999

#### LOI DE 1999 COMMÉMORANT LE SERGENT RICK McDONALD (POURSUITES EN VUE D'APPRÉHENDER DES SUSPECTS)

Resuming the adjourned debate on the motion for third reading of Bill 22, An Act in memory of Sergeant Rick McDonald to amend the Highway Traffic Act in respect of suspect apprehension pursuits / Projet de loi 22, Loi commémorant le sergent Rick McDonald et modifiant le Code de la route en ce qui concerne les poursuites en vue d'appréhender des suspects.

**Mr Peter Kormos (Niagara Centre):** I am pleased that the government House leader, in his own way, brought this back to the floor, because the Speaker will recall that I was speaking to this for about 20 minutes when I was interrupted by the adjournment. The Speaker will also recall that prior to that adjournment, there had been several interruptions suggesting—

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: Can we have a little bit of order in the House so that we can hear the debate?

**The Deputy Speaker (Mr Bert Johnson):** Order. Would you make yourselves comfortable in your own seat or else depart.

2140

**Mr Kormos:** Thank you kindly, Speaker.

Once again, I was interrupted at 6 o'clock because of the adjournment of the House that occurs necessarily then. I had indicated at the beginning of my comments that we support this legislation, that we are going to do everything we can to facilitate its passing promptly. I have told that to the Solicitor General several times since the point of introduction by way of first reading.

But the Speaker will also know that just prior to the House breaking for 6 o'clock I was interrupted a couple of times. I was surprised by some Liberal backbenchers, who would appear to want to suggest that somehow the Liberals have a right to debate this and speak to it but that the New Democrats don't. Well, I think this bill is important enough that I am going to spend the hour



allotted to me speaking to it and to matters related to it. I want you to understand this, Speaker—

**The Deputy Speaker:** Order. To the opposition House leader and whip, I can't have you standing between me and a speaker.

The Chair recognizes the member for Niagara Centre.

**Mr Kormos:** I think the Solicitor General would agree, because over the course of first reading, second reading, committee, and the parliamentary assistant speaking to this as well, it was acknowledged that this really wasn't, at the end of the day, the sort of thing that the province should have to be doing but that the province is compelled to do. The reason the province is compelled to bring in this legislation amending section 216, the fail-to-stop provisions of the HTA, is because the federal Liberals have been totally bankrupt when it comes to addressing those issues that concern our police forces and the safety of our communities. So when Mr Levac from Brant would stand up, as he did, just prior to 6, suggesting that I should stop speaking to this bill because somehow the Liberals wanted to be holier-than-thou and move it promptly, maybe Mr Levac, a Liberal—

**Mr Dave Levac (Brant):** On a point of order, Mr Speaker: I believe it is the custom of the House to be referred to by your riding.

**The Deputy Speaker:** It is. The member for Niagara Centre, the riding is Brant.

**Mr Kormos:** Dave Levac is the member for Brant. Thank you kindly, Speaker. I wanted to make sure his constituents knew who I was talking about.

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** He doesn't want that.

**Mr Kormos:** I'm sure he doesn't want that, but I'm going to say it because I've got 35 more minutes. I wasn't going to address this facet of the bill, but quite frankly, the behaviour of the Liberal caucus during the debate before 6 o'clock with respect to this bill has prompted me to speak to this matter. Maybe the Liberal member for Brant, rather than opportunistically rising on points of order somehow suggesting that I shouldn't have a right to speak to this bill, should have explained why his Liberal federal government has abandoned the cops of this province and those citizens, cops who have been injured and killed in the course of high-speed chases and citizenry who have been maimed and slaughtered during the course of high-speed chases. Maybe the Liberal member would have wanted to speak to that. As I say, that wasn't an aspect of this legislation that particularly interested me until the member from Brant rose on his points of order to suggest that the New Democrats, by wanting to participate in this important discussion, were somehow at the same time delaying or obstructing the passage of the legislation. What horsefeathers.

Maybe the member from Elgin-Middlesex-London, Mr Peters—I refer to him by the name of his riding, Elgin-Middlesex-London, one Steve Peters, who similarly rose on points of order—you'll recall that; it wasn't that long ago—while I was speaking to this bill. They

will also know that I moved amendments to this bill. Where were the Liberal amendments? Where were the Liberal efforts to make this a better piece of legislation? Where was the Liberal debate to the essence of this bill and to the concerns that it addresses? They weren't there.

Maybe rather than those points of order, gentlemen, ill-advised as they were, you might have wanted to understand how this bill really should not have to be the subject matter of provincial legislation or of provincial debate. Quite frankly, it's sad that any meaningful legislation that deals with real penalties for people who take cops off on high-speed chases has to be under the Provincial Offences Act. It's regrettable. But the reality is that the province doesn't have the power to amend the Criminal Code. The province and we provincial legislatures, when we're imposing sanctions, as we are with this legislation, as imperfect as they might be—and I think everybody agrees with that—are restricted to the Highway Traffic Act and the provincial offences legislation.

The real responsibility here lies with the federal Liberal government and the federal Liberal counterparts of those two provincial members to stand up and show some political will and some commitment to the cops in the communities of this province.

You see, it's really only a matter of political will. The federal government recently passed, as I understand it, some tough new amendments regarding ill treatment of animals, and I support that. I think every member of this Legislature does.

*Interjection.*

**Mr Kormos:** And Dr Galt would support that. Dr Galt is an enthusiast. He's an advocate of humane treatment of animals. The federal government passed that legislation in seemingly short order. It was a matter of political will. Yet, as I understand it, and I've spoken to members of the McDonald family, that family has not only been lobbying the province here at Queen's Park and this Solicitor General, it's also been lobbying the federal government, the Liberals in Ottawa. At the end of the day, however imperfect this legislation is and however inappropriate—and I'll say it once again, Parliamentary Assistant, it really is and I think you'll agree—inappropriate that it should be mere provincial offences penalties that can be applied to people who lead police off on these dangerous, deadly high-speed chases. It should be Criminal Code legislation. The fact is, the Criminal Code amendments aren't part of the Criminal Code. It's a matter of political will.

So when the Liberals who preceded me wanted to somehow not only monopolize the debate but exclude the New Democrats from the debate, one would have thought that they would have been far more conscious of the failure of the federal Liberals and their own Liberal federal counterparts in their own ridings. I'm confident they have intimate relationships with their federal Liberal counterparts to stand up and be counted.

*Interjection.*

**Mr Kormos:** The same member for Brant is now heckling something about hearings. He's the one who

said there should be no more debate. He's arguing that the federal government has to have hearings before it can implement amendments to toughen up the penalties for drivers taking cops off on high-speed chases, yet he's the one, along with some of his colleagues, you'll recall a few moments ago, who wanted to shut down the debate in this Legislature, who didn't want to hear from the New Democrats.

I should also point this out. Liberal members spoke for some 40 minutes plus, and I invite people to read the Hansard of this afternoon and this evening and to see exactly how much of the Liberal debate was devoted to this legislation.

2150

I understand that there are times when one simply uses the floor to run off the clock. I understand that. I've done it. I do it reasonably well. But I tell you, when it's legislation like this that stands very much on its own, that speaks to a very pressing issue, I find it pathetic that the Liberals speaking to this prior to me and then making huge noises, trying to suggest that New Democrats were delaying this, spent 40 minutes speaking about everything but this. If there was anything that amounted to a delay in this Legislature this afternoon or this evening, it was the tactics of the member for Brant, that's one Mr Dave Levac, and the member for Elgin-Middlesex-London, that's one Mr Steve Peters. It's unfortunate that they felt compelled for whatever reason to engage in those types of tactics or strategies. It's unfortunate they felt compelled to engage in those sorts of tactics, to exploit the incredible tragedy of Sergeant McDonald's death at the hands of a criminal driver. Sergeant McDonald wasn't even engaged in a high-speed chase. Sergeant McDonald was laying down the spike belt. Sergeant McDonald was doing all the right things. Nonetheless, notwithstanding all of that, he was a victim of yet another driver who wouldn't stop, who not only wouldn't stop when the police summoned him to, but then sped off at a rate of speed that put any number of people in danger, and certainly in that instance Sergeant McDonald.

I think I've spoken enough about the unfortunate—

**Mr Steve Peters (Elgin-Middlesex-London):** We agree on that.

**Mr Kormos:** —the unfortunate tactics of some of my Liberal—

*Interjections.*

**Mr Kormos:** Whoa, please, my friends. I heard one of the Liberals say something yet again. It's so unfortunate, because perhaps the Liberals could have used more of the time allotted to them to speak about the failure of the federal Liberal government to address the matter of Christopher Stephenson's law, which will undergo second reading debate in relatively short order. Perhaps the Liberal members who wanted to interrupt me with points of order that they knew were there but to occupy the limited amount of time I have to address this issue, perhaps those same Liberal members—the member for Elgin-Middlesex-London, that is Steve Peters, isn't it?

**Mr Bisson:** I think so, yes.

**Mr Kormos:** I just want to make sure—and the member for Brant, Mr Dave Levac. One would have hoped that they would have used their time to explain why this provincial Legislature has to accept the responsibility to deal with a sexual predator registry in the very limited way that the province can, with its limited jurisdiction, when in fact the real solution, the real answer is for the federal Liberal government to move and ensure that there's a nationwide registry.

So you see, I suppose where I distinguish myself from those Liberal counterparts, or perhaps they may want to say they distinguish themselves from me, is that I've never been afraid to acknowledge when I thought my party had not performed to the standard I thought it should. I've never been afraid to acknowledge that. Unfortunately, when we have such serious problems of public safety and the ability of cops and courts to do the jobs the public expects of them, these same Liberals who wanted to interrupt my comments earlier were but apologists for the pathetic inadequacy and the pathetic incapability and, I'm committed to believing, the lack of political will on the part of the federal Liberal government and its members. You can't just blame the Prime Minister, because every one of those federal Liberal backbenchers has to accept responsibility.

Ontario, with 103 in the last government, now 101 in the most recently elected government, has been not just deafeningly silent but frighteningly incapable of speaking to these very important public issues. In fact, I've just—I suppose the word is “fortuitously”—come into possession of a copy of Hansard.

This is fortuitous. I believe in God and I believe from time to time God blesses us and I've just been blessed. In response to the announcement of the sex offender registry, when the Solicitor General made a ministerial announcement, my goodness, it says Mr Dave Levac, the member for Brant, said, “Finally, I would also suggest and respectfully ask of the government to stop the fed-bashing, to stop blaming the federal government for inaction.” If the shoe fits, wear it, and if you're going to be a Liberal today, if you're going to be a Liberal in Toronto, if you're going to be a Liberal back in Brant or back in Elgin-Middlesex-London, you've got to take the bad with the good, my Liberal friends.

Don't try to paint the lily. I understand now why these Liberal backbenchers would have wanted to interrupt my comments to the high-speed chase bill.

**Mr Ernie Parsons (Prince Edward-Hastings):** We'd like to again.

**Mr Kormos:** They indicate they'd like to again. How strange. How strange to have heard these Liberal backbenchers condemning this government in the last debate this evening, the one about Bill 25, the megacity legislation, talking about: “Oh, we need debate. We need committee. I agree.” They only agree when it's convenient to them. They only agree—

*Interjections.*

**Mr Kormos:** Well, the Liberals up here would only agree when it serves their very opportunistic and political



purposes. I can be as partisan as anybody here, I'm convinced of that. But please, when we're speaking to matters like Bill 22, when we're addressing, as I hope we will, Solicitor General, in short order the Christopher Stephenson bill—and I do want that to get second reading because I want committee hearings over the Christmas and spring break.

I think it's important and I'll speak to that further when I have a chance to speak on second reading debate when it's called. I think it's important for there to be hearings on the Christopher Stephenson bill, and I'll address that, I'll flesh that out. I spoke to it privately to you and to the parliamentary assistant.

When I was able to speak before 6 this afternoon, I talked about my disappointment that the government's members would not accept in committee the amendments I had proposed. I recalled—

*Interjection.*

**Mr Kormos:** Oh, my Liberal counterpart. You see, I have enough time, my Liberal friends, to deal with both the government and you over the course of the next 18 minutes.

*Interjection.*

**Mr Kormos:** Stop nurturing my anathema for the federal Liberal government. Here we are in the provincial Legislature, and I very much would prefer to keep things within the context of the provincial Legislature, but there are times, my Liberal friends, when you become so partisan about issues that don't warrant partisan debate that I feel compelled to remind you that you have some apologies to make to the public of Ontario.

2200

You recall, Solicitor General, that I talked about the amendments. Once again I'm trying to get back on to that track. I find it unfortunate that those amendments weren't acceptable. You know that one amendment was one which provided for the immediate impoundment of a vehicle that was involved in a high-speed chase, subject to a claimant's right to seek the vehicle's relief from that, so that it could then be confiscated as part of the penalty for a driver leading the police off on a high-speed chase. I appreciated that that got involved, a little more complicated, so I said OK—and, when that amendment didn't pass I presented you the second amendment. It was as straightforward and as simple as this: It said, look, you've given the judge or justice of the peace, because it can be both—and I don't share the same mistrust of justices of the peace that was expressed by some members of the committee. Some members of the committee said, "Oh, we've got to be careful because it's only justices of the peace who are going to be hearing this."

*Interjection.*

**Mr Kormos:** Well, some did. It's in the Hansard. I've got the Hansard right here. Yes, you. Do I want to remind the member which riding he's from? Do I have to? Tell me yes or no.

*Interjection.*

**Mr Kormos:** OK, I won't remind you which riding you're from, but you suggested that justices of the peace

somehow didn't have the capacity to deal with a penalty as onerous—well, you did; I've got the Hansard right here—as confiscation. The fact is that judges are going to be hearing these too, and the quality of justices of the peace in this province, I'm convinced, is higher than it ever has been historically. That's not to say we haven't had bad JPs in the past, but there's a consistent high quality to justices of the peace.

I ask the government to consider that second amendment saying, please, just give the sentencing judge, be it a justice of the peace or a provincial judge, the power to say, "OK, not only are you going to get fined, not only are you going to, if the case warrants it because it involves bodily harm or death, go to jail, but that vehicle you were driving, the vehicle you own, whether it's a 1952 Chevy or a 1999 BMW, she gone."

**Mr Bisson:** She gone?

**Mr Kormos:** That's right, forfeited to the Queen. Not the Queen really, but the province of Ontario, OK? I mean, she's got enough BMWs. She's got enough BMWs, Rolls Royces. But I'm talking about forfeiting it to the crown.

You talked about accountability, Solicitor General. You said you wanted increased accountability. That would also cover those cases where you lend a vehicle to somebody. As far as I'm concerned, we've got to up the ante for those sorts of scenarios. Quite frankly, when you lend a vehicle to a drunk driver who's under suspension, I believe the impoundment rules should apply to you as the lender of the vehicle as readily as they would to the driver of the vehicle had he been the owner, because people have got to start accepting responsibility. When you lend a vehicle to someone who takes police off on high-speed chases, I believe there's got to be some accountability. There are already provisions for that in the Highway Traffic Act; the concept of vicarious liability is not foreign to the Highway Traffic Act.

Nonetheless, for whatever reasons, those amendments weren't acceptable to the government. I was disappointed, but as I committed myself to, I supported the bill in any event, because the bill at the end of the day still tries to do the right thing. I'm sceptical about the increased fines, because at the end of the day there's going to be a whole lot of people who simply aren't going to pay them. Once you get down to jail sentences, OK, now you're starting to exact some penalties.

But it still begs a question, because what we need is tough Criminal Code legislation, tough Criminal Code amendments that put the boots to drivers, be they drivers of stolen cars, be they drivers of borrowed cars, be they drivers of their own cars, who take police off on high-speed chases. Quite frankly, I'm hard-pressed to distinguish between a high-speed chase that, for the grace of God, doesn't involve any injury as compared to one that does. It seems to me that we can't give an offender credit because the mere grace of God protected the public. Do you know what I'm saying? To the parliamentary assistant, I think you do, don't you? It's always struck me as peculiar. The fact is that at the end of the day the

crime is still the same, and it's only by good fortune or, as I say, the grace of God that somebody didn't get hurt or killed.

That then takes me to the broader issue—and you know I'm going to speak to you about this, because I think it's a very important part of this whole legislative endeavour around controlling or reducing the number of high-speed chases, making the streets safer for the public and for the police. We've raised this before and I'm going to raise it with you again. We've got to ensure that every police officer and some civilian personnel, those occupied in positions that would be relevant, have real, hands-on, high-speed-pursuit training. That's a given. That's an absolute. That's a must. We need those new guidelines. Not only do the guidelines have to be developed fairly, with full consultation of uniformed, rank-and-file, front-line police officers, but we've got to ensure that once those guidelines are established police officers have reasonable and adequate training about those guidelines: how to apply them, how to utilize them, what they mean.

Please, the government has to invest in new technologies that are available or will be available. Spike belts are available now to most police forces, as I understand it. But I've told you, Solicitor General, about my conversation with a police officer in Niagara, a long-time and experienced one, who showed me the spike belt located up in the lid of the trunk of his car but then indicated to me that he hadn't received any training about it whatsoever, not even video training. He confessed to me that it would take him a considerable amount of time to figure out how to unpackage the spike belt from its package in the trunk of the car to get it out on the road in the event of a high-speed pursuit. That's unacceptable. What it does, quite frankly, is let the government get off the hook by saying, "Oh, we gave out spike belts," but you've got to give the training.

The training can't be one-time-only training. The training has to be training that recurs over the course of a police officer's career. Training can't just happen once when the police officer's a new recruit or a probationary police officer and then never again. It's got to be done on a regular basis. Does that cost money? Of course it costs money. Yes, it costs money. I understand that. But what price are you going to put on a cop's life? What price do you put on the life of a bystander, a pedestrian, who's injured in a high-speed chase?

The other issue that I think is incredibly important is for this government to start getting a little more proactive in the whole business of theft deterrent devices. Whether stolen cars are the number one high-speed chase, as it appears they are, or merely number two, the fact is, I'm convinced, that stolen cars are undoubtedly a big chunk of high-speed chases. I'm also told that manufacturer-installed anti-theft devices are a reasonably effective deterrent to theft, especially by an amateur. I acknowledge that professional car thieves, the ones who package up Mercedes Benzes and Lexuses, the sort of cars that government backbenchers have parked in the parking lot up here behind Queen's Park—the sort of professional

car thieves who load up the luxury cars to ship them off in containers to who knows where in the world, no theft device is going to stop those. But those aren't the sort of car thieves who tend to get involved in high-speed chases, you see. It's the young punks, be they drugged up or drunk up or just plain stupid. It's the amateurs, but thieves nonetheless, who take cops off on the high-speed chases.

## 2210

One would have thought the insurance industry, which I'm no fan of and which has always been an industry with short arms and deep pockets, would have paid more attention to this. I don't understand why the insurance industry isn't getting more involved in developing the technology that should be discussed within this government, within this chamber, why they're not more involved in it. I could attribute it merely to their perpetual passion for simply gouging premium payers and making their profits that way.

I understand this government doesn't have the power to tell auto manufacturers what they include in a car by way of mandatory equipment. I just recalled: The federal government can. Perhaps when my Liberal counterparts were speaking to this legislation, rather than trying to short-circuit my right to speak to this, they might have addressed the role of the federal Liberal government in ensuring that every car sold in Canada has a factory-installed anti-theft device. I'm told that would go a long way to stopping those careless, reckless, stupid, joyriding types of car thefts which are a large number of those driven vehicles that take the cops off on the high-speed chases. Why aren't we stopping it? Why aren't we nipping this in the bud?

I put to the Solicitor General that the New Democrats, this caucus, will support any effort on his part or on the part of any of his cabinet colleagues to lean on the federal government, through the appropriate ministry, to ensure that every vehicle sold in Canada has a factory-installed anti-theft device.

Parliamentary Assistant, once again I asked you for some data. You told me that Ford cars have these anti-theft devices installed in them.

**Mr Parsons:** Why would you steal them?

**Mr Kormos:** I heard something that provokes me again. Somebody who condemns North American-made cars? Was it a Liberal backbencher who somehow condemned North American-made cars? I don't understand it. These guys are gluttons for punishment. They just don't get it. They're members of the provincial Legislature of the province of Ontario. You'd think they might be a little more supportive of our Canadian automobile manufacturing industry, the number one element of our economy here in the province. But I'll let their constituents judge for themselves, as I'm sure they will.

Solicitor General, please, we'll participate in any effort that acts as a preventative effort talking about anti-theft devices in cars. But at the same time, when we do it, let's also talk about ways it can be done so that the car manufacturers, whose workers I admire and respect but whose owners from time to time I have differences with,



understand it's not something that can be used to dramatically jump up the price of a car. It's something that, done on a large scale, can be a relatively low-cost preventative measure to high-speed chases.

I've talked to you many times, Solicitor General, about a helicopter for the city of Toronto. Why I say the city of Toronto is because Toronto is right here at the apex, I guess, if you turn it on its side, of the Golden Horseshoe and it would be a helicopter that would be accessible to Niagara region, all down through Halton, Oakville, all the way east into Durham. Is it an expensive proposition? I understand that getting a police helicopter purchased and up in the air—of course it's expensive, but if it can, as one commentator put it, find one lost child it will be money well spent. If it can be used effectively to control high-speed pursuits, it will be money well spent. If it can be used effectively in the detection of crime and in the apprehension of criminals and in the protection of community, it will be money well spent.

I say to you, as I end the brief period of time which I am allowed to speak to this, that I understand the goal of the legislation and I support it. I find it regrettable that it's but provincial legislation, because it really needs Criminal Code amendments. In the absence of those, I accept the fact that we have to act provincially: higher fines, the prospect of jail in cases of bodily harm and death, of course. Am I disappointed that you didn't include impoundment or confiscation as part of your penalty provisions? Yes, I am. I urge you not to abandon those entirely.

Please, use the Christmas and spring break as an opportunity. If you didn't like my amendments prepared by legislative counsel, use them as an opportunity to have legislative counsel prepare amendments that would provide for impoundment and confiscation that would make you happy. Introduce those and I'll support them as readily as I support this legislation and as readily as I moved those amendments before your committee.

**Technology:** Let's make sure we give the cops the resources they need to do their job. Let's make sure we engage in preventative measures, things like anti-theft devices. But at the end of the day, let's also make sure that those guidelines you talked about are developed fairly, openly and equitably, and that cops in this province are educated about those guidelines, after having had a chance to help develop them, that they have access to training in high-speed pursuits and that they have access to training in the utilization of the various technologies that have been developed and are in the course of development that will help them deal with high-speed pursuits.

I look forward to seeing you, Solicitor General, after the Christmas break and I look forward to the amendments that you will be bringing forward then, I hope, with great anticipation in response to these proposals.

**The Deputy Speaker:** Comments or questions?

**Mr Frank Mazzilli (London-Fanshawe):** I just want to start by advising the House that likely the McDonald family has been watching through this whole process.

They were here. Just so there is no confusion, the McDonald family does know that this bill is supported by all three parties in the House.

At the same time, there has been some very good discussion as to where it can go from here because, in memory of Sergeant Rick McDonald, this is something that really should never happen again. As the member for Niagara Centre said, these offences should be of a criminal nature. Dangerous driving is a criminal offence; fleeing from police should be a criminal offence. The federal Liberals have not dealt with that problem. Aside from being a criminal offence, there should be long-term criminal prohibitions and mandatory jail sentences, like in this legislation of 14 days, and that's only on a first offence. Those are the types of meaningful penalties that would be appropriate in these situations. The Solicitor General and our government have had to deal with setting these penalties for this type of offence because the federal Liberals have refused to act in any meaningful manner.

Our government is also investing \$102,000 in tire deflation devices to nine police services across the province, and there are presently three helicopter pilot projects in Ontario that hopefully will reduce police pursuits.

2220

**Mr John Gerretsen (Kingston and the Islands):** In this House over the last two to three weeks we've heard more attacks on the federal government than just about anything else. If the members want to attack the federal government, I would suggest that they run for the Reform Party in the next federal election. It's only about a year or two away. Each one of you, I'm sure, will do quite well in running for the Reform Party because you are all a bunch of Reformers anyway to start off with.

I've always said—I've been very consistent in this—that we do not have a Conservative government in this province. The Conservative government that was in power for 42 years had a sense of decency, a sense of honesty, a sense of compassion. That's what is totally lacking about this government.

When was the last time, Speaker, that you've heard any member on the government side talk about the plight of our fellow man, about the homeless, about people in need? Never. It's never mentioned. There's always talk about tax cuts, economics, global economy, and while all that is important, what's even more important is that we treat each and every one of us with a sense of decency and respect. You never, ever hear anything from the government about that.

Let me quickly go to the speech of the member from Niagara Centre. The member from Niagara Centre, with whom I usually agree, speaks about issues in a very passionate way. But for him to attack the member from Brant and the member from Middlesex, who are here to do the work for their constituents to the best of their knowledge, is totally and absolutely unfair. He too, even him, started to attack the federal government.

Why don't we deal with the provincial issues that we're elected to deal with in the House? We all know

that there are many problems in this province and they need to be dealt with.

**Ms Marilyn Churley (Broadview-Greenwood):** It's a pleasure for me to be able to respond to my colleague Mr Peter Kormos, who spoke of substance to the bill before us tonight, which is something we all needed to hear: that this should be an entirely non-partisan discussion.

The reason the member spoke deliberately about the Liberal participation in the debate this afternoon, and I was here to witness it, is that our time was curtailed, and then two of the Liberal members stood up after—what was it?—40 minutes on the clock and tried to shut down the debate when the member was talking of substance about this very important bill before us today—not once, but twice stood up and interrupted him just before 6 o'clock and called for unanimous consent for a vote. This was clearly designed to shut down the bit of time we had to discuss this issue today. If the member for Welland-Thorold stood up tonight and made comments about Liberals, they asked for it. Furthermore, I couldn't believe it, but they had the gall throughout his speech to keep going and going and provoking the member which, I put to you, Mr Speaker, is not a good idea to do.

I would suggest, if the Liberal members want to speak to this bill, that they talk about what they're going to do; instead of defending the federal Liberal government in Ottawa and telling the Tories to stop bashing them, that they suggest they'll use their friendship with their cousins in Ottawa to get them to do their duty and pass a law that would be much more effective than a provincial law would be.

**Mr Jerry J. Ouellette (Oshawa):** I very much appreciate the opportunity to speak to this very important bill. I listened to the comments of the member from Niagara, and I've worked with the member on a number of committees and very much appreciate his input on the justice matters. He has very extensive knowledge.

I'd like to bring up a couple of points. I'll try to limit them to three.

First of all there were some comments in the bill, because of his past history, on the ability to bring in—

**Ms Shelley Martel (Nickel Belt):** What past history?

**Mr Ouellette:** Well, as a lawyer.

**Mr Kormos:** Sounded like a smear.

**Mr Ouellette:** No. It's more a matter of, what if legislation was in place dealing with the fact that for every minute there were two years less a day? I did a bit of research on the fact that the province only allocates two years less a day, and my finding is that the only reason we have two years less a day for provincial matters is because it's kind of an understanding. There's nothing in writing that says that it can't be more or less than that. I'm asking for the member to find that out, because I've done quite a bit of research and that's the best I can find out prior to coming forward.

In another area, for example, there are a number of states that currently provide chase training, and I know the province is currently reviewing what's going to be the

best opportunity for our province in this chase training. I know that we're looking at sending down individuals from various forces to provide training for the trainer in the chase opportunities, to make sure that the individuals are upgraded and that on their own forces they have individuals to deal with that.

Third is the use of choppers. I think the technology is great. Our officers need—I'm in agreement with the member there—the best materials they have available. However, with the chopper in the region of Durham, if the chopper is wrongly located, considering the length of time that a chase takes place, most of the time it's not readily available. Sometimes I wonder if the dollars spent on a chopper could be spent wisely elsewhere.

**The Deputy Speaker:** The member for Niagara Centre has two minutes to respond.

**Mr Kormos:** The discussion during the course of these two-minute responses illustrates part of the problem. You're raising issues, and I can see it here; I am too.

Look, let's be talking to the cops about these things; let's not try to second-guess the cops when it comes to how they should be out there doing their job. They're in the best position to tell us. So let's not sit here, isolated from the real world, especially from the real world of policing, and tell cops, "This is the way it should be done." Let's talk to those cops first. Let's talk to them in a casual way, in an informal way but also in an organized way through the course of a process like committees, like broad-based committees.

Let's also understand that the police did have things to say about high-speed-chase legislation. The police did call out for impoundment or confiscation to be a part of it, to be a part of the penalty provisions. The government saw its way clear to do that when it came to driving under suspension, when the suspension flows from a Criminal Code conviction like drunk driving, but it couldn't see its way clear to respond—I mean, I want to tell you, I didn't dream up the idea of impoundment or confiscation. I took my direction from our cops, from the Police Association of Ontario. I thought it was a good idea that impoundment and confiscation be part of the penalty provisions. I thought the cops had it dead-on.

Let's stop, in our isolated Pink Palace here, doing things without consultation. Police officers gave you their views about the appropriate penalties. They included confiscation and impoundment with respect to high-speed chases. For whatever reason, the government didn't follow it. Please, government, let's not make that mistake again.

**The Deputy Speaker:** Further debate?

**Mr Parsons:** It's a pleasure to rise and speak to this bill. Every time I'm back in my riding during the week, people say to me, "Is it hard to rise in the House and speak?" It's actually quite the opposite. It's hard at times to sit and not speak, because it's been an interesting experience to this stage and a very good experience, and I have a great deal of admiration for people who have come to the House for this. But there are some things that I find very frustrating.



Perhaps the most frustrating thing is the statement over and over that no matter what the problem, no matter what the issue, it's the federal government's fault. I struggle, hearing time after time that anything this government has done wrong is the federal government's fault. There is not a government in this province is the sense that I get at times.

Every government, no matter what background or what calling, does some things very well and does some things not well. I think it speaks volumes to the character of a government that is able to say: "We haven't done this well. We're going to change it. We're going to fix it. We're going to make it better."

2230

We've heard statements from the other side that they're not the government, that they've come here to fix the government. You need to get at it quickly. It needs fixing. I am perplexed that when the government in Ottawa makes some very tough decisions to balance the budget, that's very bad, but when the government here makes some tough decisions alleging they're going to balance the budget, that's very good. I think it's time we grew up and focused on this Legislature in this province and on what we can do with what we've been given.

This bill is an example of what I think is an extremely well-intentioned bill. We seem to see more and more in the media and be made aware of police chases. I know I'm absolutely safe in saying that there's no one in this House who doesn't want to see police chases stopped. The argument may be over how far to go and what to do about it. I have a question myself and I've not been able to find the answer. We have fines and penalties in place now. How often are they invoked? What is the average fine? I can't recall seeing in the paper the maximum fine levied against anyone for speeding away from a police officer at this stage. If we're not enforcing the current law—I hope we are but I haven't been able to find it—then a new law that increases those penalties doesn't have a lot of meaning unless it is also going to be enforced.

I not only hope that this Legislature passes the increased fines and the loss of the licence and so forth, but I also hope that the court system follows by invoking the appropriate penalties.

I have a concern that there seem to be more and more police chases. An analogy I think about is that I was very pleased to see on the weekend that a school board out west has caused one of the cable television networks to stop putting wrestling shows on immediately after school hours. They concluded that these TV shows had an influence on young people. They were showing up at school making some of the gestures and saying some of the things they had seen on TV. Clearly the television show was influencing young people.

By the same token, certainly in my community, every Saturday night for an hour is a cop show that consists predominantly of police chases. I have a concern that in a sense that perhaps glorifies it, in that other young people, and unfortunately many of the police chases seem to be started and committed by young people, see it on

television and view that as a very exciting thing. There are far too many cases of copcat actions in this world. I would even suggest that there may be an advantage in not publicizing these supposedly exciting but in fact potentially very tragic police chases on the TV. I think we could help to cut into the difficulty and into the number of occurrences by not giving the publicity to such reckless acts that we currently do.

I can understand the statement from the NDP about stolen cars because I concur. It seems that the vast majority of these police chases are being undertaken by stolen cars. There is the suggestion that there be anti-theft devices in the cars. I'm from the Stirling community where there are still people who leave keys in their cars at night, but I understand more and more as I live in Toronto that if you want to keep it, you lock it.

When we purchased our last vehicle, the insurance company's question to me was, "Do you have an anti-theft device in it?" and I was pleased to say, "Yes, I do." Then I followed it up by that mercenary question, "Does that get me a discount on my car insurance?" and the response was, "No, but it is very wise of you to have the anti-theft device in it."

I would suggest that the installation of anti-theft devices should be rewarded by insurance companies. Surely it has to save them money on payouts and surely it must make it more difficult for cars to be stolen, which by definition has to reduce the possibility of these police chases.

I think there are other technology answers available. I watch with interest things on TV that help the police locate stolen cars through interconnection with satellites. That's something to be investigated.

I think about the tragic death of Sergeant McDonald and about the act he was doing, which was to put a spike belt across the highway to attempt to stop a car. In a world and in a society where we can place people on the moon, surely we can come up with better technology to stop a car than someone having to manually stand in front of it. I have great admiration, it was a selfless act on the part of Sergeant McDonald to do it, but surely we have an obligation to make sure that no other police officer has to stand in front of a speeding car and spread a spike belt. There simply has to be a better way to stop automobiles than that. We have the technology to do so many wonderful things. That can't be out of reach for automobile manufacturers. Again, that sort of invention, while adding to the cost of a car, should be reflected in lower car insurance premiums.

I watched with interest as they were debating the use of police helicopters in the Metro area, and yet the police officers I have talked to say that these police chases often tend to be of such short duration that a helicopter is not a suitable device to help with the police chases unless it happens to be up there in the air at the time that it happens. It's worth investigating, but there have got to be simpler and cheaper ways to stop stolen cars.

We need education for our young people. They're getting educated from watching TV. They need to be

aware in schools—I'm thinking of secondary schools—of the terrible effects these police chases have: if they could see not just the glamorous side of the speeding car, with the police cars and their lights behind them, but to read or to have on videotape some of the victim impact statements of the terrible price paid by their family and by the community when these reckless actions take place.

I think the bill is correct in that I could not personally support the forfeiture of an automobile. It sounds like an easy answer, but if we discount the number of cases that involve stolen cars, which are the majority, and then we look at the cases where a parent has simply allowed a son or daughter to have the car for the evening, what a terrible price they would pay to have the car forfeited. For the person who committed the offence to lose their licence or to have a fine, that's fair, but my community is predominantly rural, and the car is not a luxury in my community.

It's perhaps a little bit off topic—that never seems to be a problem in this House—but I receive no end of letters from my constituents over the cost of gasoline, the impact on people who are on minimum wage or on fixed incomes—

**Mr James J. Bradley (St Catharines):** Bill 16.

**Mr Parsons:** Perhaps we can have unanimous consent later this evening to proceed with Bill 16—letters from senior citizens in my community who have to drive perhaps to Kingston for their medical service because of the specialty or the particular type of illness or the operation they require, and they now find the cost of gasoline a major issue for them to address.

A car is simply a way of life, and as we bring in rules and increase the cost of gasoline or of services for automobiles—I've even had mention of the impact of the Drive Clean program on senior citizens on limited incomes. But we in the rural community require a car, and if a parent allows a child to drive and the child does an irresponsible act, I'm a firm believer that there shouldn't be other victims added: the parents. The child or whoever borrowed the car should pay the price, but not the person who innocently loaned the automobile.

This bill is a great start. I'm pleased to vote for it and I'm pleased to recognize that the government is moving forward to address a situation that the rest of the province has clearly identified, knowing that there is more to it. I hope there is strict enforcement. I hope that somewhere in all of this wonderful money we're getting out of the increased revenues they keep telling us about there is encouragement from the government, and maybe we can provide some incentives to automobile manufacturers, maybe we can provide some incentives to universities to invent devices that will enable the police to have better technology to stop the car.

I think it's time we move on, pass this bill and make our streets safer.

2240

**The Deputy Speaker:** Comments or questions? Further debate?

**Ms Martel:** It's a pleasure for me to participate in the debate this evening. In the time I have I want to focus on an amendment that was placed to this bill in committee last week, both to let the public know what it entails and the reasons, which I think were very silly, for the government turning it down.

Let me begin by saying that of course we have supported this bill from the outset, from the day the minister, the Solicitor General, introduced it in this House and we continue to support it even now. The reason we wanted it into committee and the reason amendments were placed was because we thought we could make this bill better. I still believe that and I regret that the parliamentary assistant in committee would not support the amendments that were placed by my colleague from Niagara Centre.

For the public who were not able to watch the committee process or who haven't been able to read what happened in committee last week, it's worth while putting forward some of the brief details of the amendment so people will understand how simply it could have been put into effect and how very much it complements the penalty provisions already included in the bill.

The amendment to section 216 of the Highway Traffic Act would have permitted impoundment of a vehicle. It says very clearly, "Where a police officer or officer appointed for carrying out the provisions of this act is satisfied that the driver of a motor vehicle has contravened subsection (1), the officer shall impound the vehicle." Of course, that is in the case where someone has been fleeing police.

Why do we want the vehicle impounded? Why did we move the amendment? Because we believe that impoundment complements this act. It promotes public safety and does not constitute an alternative to any proceeding or penalty arising from the same circumstances or around the same time. Indeed, it acts as a further deterrent over the financial penalties, over the potential imprisonment, to really seriously deter people who would otherwise engage in high-speed police chases.

Under the amendment it was very clear that there would be no impoundment of a vehicle, under this section, if the vehicle was stolen from its lawful owner at the time of the offence. It was not our intention then nor is it our intention now, as we talk about this amendment, to ever cause undue hardship to anyone whose vehicle was stolen and whose vehicle was then involved in a high-speed police chase. The provisions in the bill to allow for that owner of that vehicle to get the car back were very straightforward, very simple.

As a matter of fact, there was a section with respect to the impoundment that allowed 30 days for that individual, if the car was stolen, to go before the superior court of justice, within the 30-day period, to request the release of the impoundment.

There were a number of grounds for release that were articulated in the amendment very specifically: "(a) that the motor vehicle was stolen at the time in respect of which it was impounded;"—clearly that is a ground for release—" (b) that the driver of the motor vehicle at the



time in respect of which the vehicle was impounded did not contravene subsection (1); (c) that the owner of the motor vehicle exercised due diligence in attempting to prevent any contravention of subsection (1) by the driver of the motor vehicle at the time in respect of which the vehicle was impounded; or (d) that the forfeiture of that motor vehicle will result in exceptional hardship."

The only exception we had was in the case where someone, a same owner had already had their vehicle forfeited to the crown under this same section. Again, no case for hardship under that circumstance. Clearly it was demonstrated in the amendment that if any of these tests were met then the vehicle would be released.

The process was very straightforward. The process was very simple. It's a process that is not uncommon in terms of vehicles that are already impounded in the case of drunk drivers, because those vehicles are impounded now. We were not talking about something that doesn't happen already in the province.

I was disturbed by the decision of the Conservative caucus not to support the amendment. It seems to me it makes eminent good sense that we provide protections for people who have their vehicles stolen, or who try very hard to stop someone they might be in the car with from fleeing from police, and their ability to go and get their car back was also straightforward and set out very clearly in the legislation. Unfortunately, the parliamentary assistant really voted against this bill on two grounds. The first was this, and I'm quoting from page 14 of Hansard from the justice committee:

"It also causes enormous difficulties for police departments because at some point you seize a vehicle and, like everything else you seize, you have to keep track of it in a bureaucratic process. I can tell you that at some point vehicles do get lost in the shuffle, and tow charges build up, enormous tow charges, because someone has forgotten about making a release order on a vehicle at some point."

What a silly reason, stupid reason, to vote against the amendments, as if all police officers are somehow incompetent and are going to lose vehicles that have been impounded. It's a simple process: The police officer stops a vehicle, makes the arrest, calls the tow truck company, and they take it away. It's not going to get lost. That just doesn't happen. I don't know of any circumstance where the car went missing. I thought that was just a ridiculous reason to vote against this amendment.

The second reason the government gave was that in a vast majority of police pursuits it's not the registered owner of that vehicle who is fleeing from the police: Either the vehicle is borrowed or it was stolen. We understand that, and that is why we said very clearly in the amendment under the grounds for release that if the vehicle had been stolen, the owner of that vehicle under whose name it was registered would come before the Court of Appeal and would make that case clear, and of course it would be released. Of course the crown would not request that the vehicle be forfeited under those circumstances.

Those were the two reasons that the parliamentary assistant gave in terms of voting against this, and I just can't clearly understand this. First he makes an insinuation frankly that police are incompetent and they're going to lose cars, and I just don't believe that's the case. Second, we already know that stolen cars are impounded now. This is not a process that's new; this is a process that happens now when police stop people who are driving stolen cars. They are impounded, the car is taken away to the pound, and the owner has to go and collect that. We're not talking about anything new.

The other point that I want to make is we made it clear what the grounds for release were to protect those people who ran up against the situation where their vehicle had been stolen. They are not the people we're after, and I think the parliamentary assistant knows that, and so does the government.

We saw the impoundment provision as a deterrent, just like the fine that the government puts in its penalty provisions, just like the imprisonment that the government puts in the penalty provisions of the bill. Clearly, the impoundment provision can only be seen in association with those other penalty provisions. It doesn't take away from what you are trying to do; it adds to it. It sends a clear message to those people who would be stupid enough to try and flee police, that in addition to a financial penalty, in addition to possible imprisonment, they're going to lose their asset, whether that car be worth \$3,500 or \$35,000. That's the risk they run if they want to be dumb enough to flee the police and put the police at risk and put other citizens or other members of the public at risk as well. So it can only be seen as an addition to, complementary of, the penalty provisions that already appear.

What is regrettable is that I really feel strongly that the only reason the parliamentary assistant was instructed to, or on his own decided to, vote against this amendment in committee was that it was put forward by an opposition member. That's really regrettable, but I think that's what happened. It's even more regrettable because my colleague from Niagara South, who shared the amendment with the government, who made it clear in the debate on second reading that he was going to move it, would have been perfectly happy if the government itself, through the committee process, moved this amendment, brought it forward, made it an addition to the bill.

The government, for some reason that I cannot explain, did not want to do that, and I can only assume that it had to do with the fact that the idea came from the NDP, and because of that they weren't interested in following it up. The unfortunate reality is that the idea originally did come from the police, and if we were truly listening to the police with respect to how we could have made this bill stronger, we would have moved that amendment forward, because that's exactly what the amendment would have done. It would have toughened up those penalty provisions. It would have served as a very real and a very serious deterrent to any member of the public who wanted to engage the police in a high-speed chase.

In conclusion, I say to the government, particularly to the parliamentary assistant who is here, I regret that you couldn't find your way to supporting an amendment that the police would have supported, that would have made this bill stronger. Of course we are going to support the bill in the end, but I hope you will take the time to go back and look at this again seriously and move it forward the next time that we sit.

**The Deputy Speaker:** Further debate?

Mr Tsubouchi has moved third reading of Bill 22, An Act in memory of Sergeant Rick McDonald to amend the Highway Traffic Act in respect of suspect apprehension pursuits.

Is it the pleasure of the House that the motion carry? It is carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

**The Deputy Speaker:** The Chair recognizes the chief government whip and deputy House leader.

**Hon Frank Klees (Minister without Portfolio):** Mr Speaker, I move adjournment of the House.

**The Deputy Speaker:** All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it. I declare the motion carried.

It being nearly 11 o'clock, this House stands adjourned until 1:30 tomorrow.

*The House adjourned at 2252.*



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Marilyn Mushinski, Richard Patten  
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Règlements et projets de loi privés**

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Gilles Bisson, Claudette Boyer, Brian Coburn,  
Garfield Dunlop, Raminder Gill, Pat Hoy,  
Frances Lankin, David Young  
Clerk / Greffière: Anne Stokes

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## Legislative Assembly of Ontario

First Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 21 December 1999

Mardi 21 décembre 1999

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 December 1999

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 21 décembre 1999

*The House met at 1330.*

*Prayers.*

### MEMBERS' STATEMENTS

#### ENVIRONMENTAL EDUCATION

**Mr Michael Gravelle (Thunder Bay-Superior North):** At a time when everyone must surely agree that a healthy environment may indeed be the key to our future survival on the planet, I was very concerned to learn recently that the Ministry of Education is planning to remove environmental sciences from the secondary school curriculum.

In that we've been told that the final decisions for the grade 11-12 curriculum guidelines will be made by February of next year, I wanted to use this opportunity today to urge the Minister of Education to reverse that decision before it's too late, hopefully because she is able to recognize the dire implications of its removal from the curriculum.

The fight to retain environmental sciences is being led by Dr Tom Puk from the faculty of education at Lakehead University and the outdoor recreation, parks and tourism students at Lakehead. But make no mistake about it: This is a province-wide concern as York University, the University of Toronto and the University of Western Ontario are campaigning equally hard to get the minister's attention.

Minister, you met with Dr Puk last month and indicated that you understood his concerns. You also said that just because draft guidelines had been released, that didn't mean that changes couldn't be made. I hope that you'll be true to your word. At a time when government is decreasing its focus on education about the environment, one can only see the removal of environmental sciences from the high school curriculum as a drastic step backwards.

Without a healthy environment, we have nothing. Without clean air and water and soil, we have nothing. Please listen to those concerns and put environmental sciences back on the high school curriculum. It must be done. You're the one who can do it. Please listen to those concerns and fix the problem.

#### WINE INDUSTRY

**Mr Brian Coburn (Carleton-Gloucester):** It's my pleasure to speak to you about a constituent of mine who has received accolades on the world stage. Orazio La Manna, along with four others, make up Canada's Olympic culinary team, which has just arrived home from the World Culinary Salon Championship in Switzerland with three gold medals, placing the team in the top five internationally. Ontario wines were used in this year's winning dessert, a testament to this province's status as a world-class wine producing region.

My colleagues from Erie-Lincoln and Niagara Falls can attest to the overwhelming importance of Ontario's wine producers to our economy. In fact, every \$10 million in wine sales translates into \$14.8 million in economic activity in Ontario. Almost 5,000 people are directly employed in the wine industry, mostly in the Niagara region. As well, approximately 400,000 people visited wineries in Ontario in 1999.

Our province is home to some of the top wine labels in the world, including Inniskillin ice wine, used in the team's winning dessert entry, the first such wine in Canada to receive the prestigious VQA label.

I join with my constituents in Carleton-Gloucester to wish Mr La Manna and his teammates all the best in their upcoming competitions.

I take this opportunity to extend to my colleagues in this place, and all Ontarians, best wishes for a joyous holiday season, where they can enjoy the camaraderie and good fellowship of family and friends.

#### HIGHWAY 3 BYPASS

**Mr Bruce Crozier (Essex):** My statement is to the Minister of Transportation. Two weeks ago the Highway 3 bypass was finally opened around Leamington. Within hours of the extension's opening, my constituency office began receiving calls about the dangers of this stretch of highway. The two biggest problems are the stops to County Road 34 and County Road 31. The day after this stretch of highway was opened, the local OPP issued a warning for motorists to take extra precautions at these two intersections.

On December 9, I wrote to your office asking that you address these problems and requesting copies of safety and engineering studies done prior to the opening. To date I've heard nothing. The only action I've seen to

address these problems are large traffic cones which have been placed to close off the right-hand turn lanes at County Road 34. This has caused even more problems. Large trucks, which the bypass was built to accommodate, now have a hard time turning the corners. The traffic problems are now worse than they were before. I wrote to your office again last week to get action on this issue but have still heard nothing.

There's no excuse for these problems. This is a brand new stretch of highway that should not have been opened until it was safe. It has only been due to the caution of the drivers that a major accident has been avoided. Don't wait until that happens before you act.

Minister, you must undertake a review that will lead to the installation of fully functional traffic signals at these dangerous intersections. There's no reason for delay.

### NORTHERN ECONOMY

**Mr Jerry J. Ouellette (Oshawa):** The air is crisp and Santa's sleigh is soon to be lifting off, but you know, in life there's no such thing as a 10. There are not the perfect parents, although we try; there's not the perfect child, and sometimes they are very trying; there's not the perfect spouse or the perfect employer or the perfect employee, but maybe some are just closer to a 10 than others. The reality is that people are just doing the best they can, and the province is getting better.

Canada's jobless rate plunged to an 18-year low in November. The growing Canadian economy created 89,000 full-time jobs last month, dropping the national employment rate down to 6.9%. However, in northeastern Ontario the unemployment rate continues to tumble. The North Bay and area labour market bulletin states that the unemployment rate in the region is 7.1%.

Last year at this time the northeastern unemployment rate was 10.4%. In northern Ontario, employment opportunities have improved with the creation of nearly 14,000 jobs in the first half of 1999. Over 2,200 jobs were created for engineers, scientists, computer programmers and technicians in northern industry.

Remember, there's no such thing as a 10, or in this case a zero, but we all are trying to do the best we can.

In closing, I'd just like to say merry Christmas to all and the best of the new millennium.

1340

### HEALTH CARE FUNDING

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** Two of the most critical health care issues this fall have been the closure of emergency rooms and the shortage of physicians. The Harris government has refused to take absolutely essential action on either issue.

Yesterday's emergency room announcement was a repackaging of what didn't work last spring. The government still refuses to reopen the acute care beds it has closed.

But when it comes to the shortage of physicians, there has been no action at all.

Last summer, with 87 communities designated as underserved for family doctors, the minister promised to act. She appointed a fact-finder, Dr McKendry, who was to report by the end of September. It is now the end of December and still no report, at least no report released. The minister promised that when the report was released she would set up an expert panel to make recommendations to deal with the shortage. No report, no expert panel, no solutions, no action.

We said that the Harris government was stalling for time last summer, but we had no idea they would still be totally silent five months later. In the meantime, there are now 99 communities underserved for family doctors and 25% of the people in this province have no family doctor.

There is real urgency here. There should be an immediate commitment to increase medical school spaces this fall. There should be an immediate expansion of the number of residency spaces for foreign-trained physicians.

It is past time. It is time for this government to release the McKendry report and get on with what so obviously must be done to deal with the shortage of physicians.

### MINE RESCUE WORKERS

**Ms Shelley Martel (Nickel Belt):** For almost 50 years Ontario mine rescue personnel have played a vital role in mine safety in Ontario.

These individuals are on call 24 hours daily to rescue miners who are trapped or injured and to extinguish fires in mining operations both on the surface and underground. Mine rescue personnel are trained in the use of specialized equipment, especially that which allows them to work in confined spaces underground. They receive ongoing training in first aid, fire suppression and other life-saving skills, and they must complete mandatory hours of service annually in order to remain certified. The Ontario mine rescue organization is recognized nationally and internationally for its high standards, its expertise and its success in responding to mine disasters and emergency situations.

It is time to publicly recognize the commitment, courage and dedication of Ontario's mine rescue staff. In that regard, I will be introducing a private member's bill to recognize the long service of these individuals. Specifically, those achieving 20 or more years of service will receive a long-standing service award to acknowledge their enormous contribution in the protection and rescue of miners in Ontario. The award would be presented by the province's senior mine rescue officer at the annual Ontario Mine Rescue Competition, which incidentally will be held in Sudbury in June 2000.

I trust all members will support the establishment of a long-service award for Ontario mine rescue personnel, to acknowledge and commend these individuals for their outstanding public service.



## HEALTH CARE FUNDING

**Mrs Brenda Elliott (Guelph-Wellington):** Last Thursday I had the privilege of attending the tender-signing ceremony at St Joseph's Hospital and Home in my riding of Guelph-Wellington.

This \$21.7-million project is part of a total \$69-million commitment from the Mike Harris government and has been a long time in coming. The former Liberal government promised to address the health care needs of Guelph. They even held a groundbreaking. Caucus infighting ensued and nothing happened. The NDP had five years to build hospitals in my riding and again did nothing. I'm proud to say that after all those empty promises, it's our government that has come through with real dollars for a real hospital.

The St Joseph's 225-bed, long-term-care facility is scheduled for completion by the fall of 2001 and complements the General acute care, which construction is now underway.

We understood in our community that restructuring had to come from within. Thanks go to Sister Margaret Myatt, Rita Soluk, board chair Agnes Gelb and former board chair Simon Liebowitz, who have worked so co-operatively to bring this to fruition. Everyone at St Joe's is very excited about their new facility and about this increased opportunity to provide better health care for our constituents in Guelph-Wellington.

By building this long-awaited long-term-care facility and acute care hospital, our government has once again shown that the Mike Harris government keeps its promises and that we are investing heavily in high-quality health care for Ontario.

CHILDREN'S HOSPITAL  
OF WESTERN ONTARIO

**Mrs Sandra Pupatello (Windsor West):** I'd like to address today an issue that is happening at the children's hospital in London. I'd particularly like the members for London-Fanshawe, London North Centre and London West to take note. I'll be spending some time during our intercession in the London area, and I expect the members from that area to take note and get to work first.

Dr Tim Frewen, the chief of that hospital, was very specific when he said that in March last year the Minister of Health made an announcement about what they were going to do as a government to help these children's services in this hospital, particularly the need for paediatric neurosurgeons, but the resources have not followed the announcement. So just be on notice. Our Liberal Party will be at work in the London area and I expect the local MPPs to take note and get to work first. Call Dr Tim Frewen. His number is 685-8500. Call him today. He has spoken to you through the newspapers, which is most unfortunate, that a local doctor needs to take this kind of means to call the government to account on promises it made well before the last election.

What we have now is a hospital that serves a catchment basin from Owen Sound through to Windsor, so hundreds and hundreds of children are served by this hospital in London which is now dealing with a significant shortage of specialists to deal with very serious problems. As Dr Frewen says, "The time is now to act on behalf of our children."

## ONTARIO ECONOMY

**Mr Doug Galt (Northumberland):** Every Tory in On-Tory-o likes Christmas a lot, but the Grinches who live on the other side of this House do not. The Grinches don't like Christmas. No one quite knows why. It could be that their heads are not screwed on just right or maybe their shoes are too tight. I think the reason the Grinches don't like Christmas is because in On-Tory-o all the stores and shopping malls are full. They're filled with happy people spending their hard-earned money on gifts and spending less on taxes. The Grinches shiver when they see this. They love high taxes. They don't like tax cuts at all. They stare down from their dark, dreary caves with sour Grinchy frowns and think of ways to make lives miserable for all the happy Tories.

The Grinches don't want to see the boys and girls receiving gifts. Why, yes, the Grinches can't stand gift-giving, because they think they could spend our money better. They just take the gifts away from the young girls and boys, and this is such an awful thing to do. Shame on them.

Even though the Grinches have been naughty and selfish, they'll get a tax cut too instead of a piece of coal. But even if that doesn't make them happy, we can rest assured that many people are appreciative of the political stability, financial security and justice that Ontario provides.

## INTRODUCTION OF BILLS

PUBLIC TRANSPORTATION  
AND HIGHWAY IMPROVEMENT  
AMENDMENT ACT  
(PARTISAN SIGNS), 1999LOI DE 1999 MODIFIANT LA LOI  
SUR L'AMÉNAGEMENT  
DES VOIES PUBLIQUES  
ET DES TRANSPORTS EN COMMUN  
(PANNEAUX À CARACTÈRE POLITIQUE)

Mr Gravelle moved first reading of the following bill:

Bill 44, An Act to amend the Public Transportation and Highway Improvement Act to prohibit partisan highway signs / Projet de loi 44, Loi modifiant la Loi sur l'aménagement des voies publiques et des transports en commun de façon à interdire les panneaux routiers à caractère politique.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member, for a short explanation.

**Mr Michael Gravelle (Thunder Bay-Superior North):** We on this side of the House have been concerned for some time about this government's willingness to use public money to buy advertisements that are essentially partisan in nature. My leader, Dalton McGuinty, introduced Bill 17 earlier this session to deal with partisan government advertising on radio, TV or in print. What my bill does is ban the signs that are appearing with more and more frequency on provincial highways, advertising "Your Ontario Tax Dollars at Work," signed Premier Mike Harris.

My bill will prohibit the Minister of Transportation from issuing to the crown a permit to display a sign, notice or advertising device near provincial highways if it contains the name or image of a member of the executive council or a member of the Legislative Assembly or a partisan message.

I'd like to seek unanimous consent to receive second reading on this bill today.

**The Speaker:** The member has asked for unanimous consent. Is there unanimous consent? I heard a no.

1350

TORONTO WATERFRONT  
FAIR HOUSING ACT, 1999  
LOI DE 1999 SUR L'ÉQUITÉ  
EN MATIÈRE DE LOGEMENT  
DANS LE SECTEUR RIVERAIN  
DE TORONTO

Mr Hampton moved first reading of the following bill:  
Bill 45, An Act to provide for affordable housing on the Toronto waterfront and on the site of the XXIX Summer Olympics / Projet de loi 45, Loi assurant la création de logements à prix abordable dans le secteur riverain de Toronto et sur l'emplacement des XXIX<sup>e</sup> Jeux olympiques d'été.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member, for a short explanation.

**Mr Howard Hampton (Kenora-Rainy River):** The bill requires every Olympic Games residence to be converted to non-profit housing after the games end, if the International Olympic Committee decides to hold the Olympic Games in the city of Toronto.

The bill requires at least 25% of the housing built on the Toronto waterfront after the bill comes into force to be affordable housing.

The bill requires the Minister of Finance to consider funding the construction of non-profit housing near the Toronto waterfront in an amount equal to the price of any crown land on the waterfront sold to a person who is not a public authority. No order of the Minister of Municipal Affairs and Housing made under the Planning Act applies to the Toronto waterfront unless the order is

approved by a bylaw made by the council of the city of Toronto.

FAIRNESS FOR TAXPAYERS BILL,  
THE MORE DAYS IN THE HOUSE  
FOR THE PREMIER AND FEWER  
CHEAP PHOTO OPS ACT

Mr Phillips moved first reading of the following bill:

The fairness for taxpayers bill, the more days in the House for the Premier and fewer cheap photo ops act.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

*Interjections.*

**The Speaker:** I didn't hear a no.

The member, for a short explanation.

**Mr Gerry Phillips (Scarborough-Agincourt):** Thank you, Speaker.

**Mr John O'Toole (Durham):** On a point of order, Mr Speaker: I can assure you that I did say—

*Interjections.*

**The Speaker:** Order. I listened carefully. I did not hear a no on that one, and I was listening carefully. I did not hear a no, and I'm not trying to play the games. I did not hear a no.

Same point of order?

**Ms Marilyn Mushinski (Scarborough Centre):** On the same point of order, Mr Speaker: I heard at least three noes from this side.

*Interjections.*

**The Speaker:** Order. I did not hear a no.

The member for a short explanation.

**Mr Phillips:** The act would require the Premier to attend question period more frequently—

*Interjection.*

**The Speaker:** I have ruled. I did not hear a no. Is it the same point of order?

**Hon Al Palladini (Minister of Economic Development and Trade):** On the same point of order, Mr Speaker: This is the first time in this Legislature that I have stood up on a point of order in the four and a half years I have been here, and I would appreciate it if you would hear it.

With all due respect, as usual, the members of the opposition make a lot of noise. I know my distinguished colleague next to me did say no. I will not lie in this Legislature.

**The Speaker:** I understand, but I did not hear a no, and I'm not kidding around with this. I did not hear a no.

The member, for a short explanation.

**Mr Phillips:** This bill would require the Premier to attend question period more frequently than has been the case over the past several years. Within 60 days of the act receiving royal assent, the Premier has to improve his question period attendance. The staff of the Premier must also prepare an annual report indicating a substantial reduction in cheap photo ops. Failure to comply would



result in a strongly worded letter from the Lieutenant Governor.

**Hon Cameron Jackson (Minister of Tourism):** On a point of order, Mr Speaker: It is very clear, from a previous Speaker's ruling, that no bill can within its content raise in question the attendance in this House of any member. The regulations are very clear, and I would ask you to rule that the bill be out of order.

**The Speaker:** I haven't had a chance to look at the bill and read the bill, so I have no way of knowing. I will look at it at that time.

MINE RESCUE PERSONNEL  
LONG SERVICE AWARDS ACT, 1999  
LOI DE 1999 SUR LES RÉCOMPENSES  
POUR LONGS ÉTATS DE SERVICE  
DÉCERNÉES AU PERSONNEL  
DE SAUVETAGE DANS LES MINES

Ms Martel moved first reading of the following bill:

Bill 47, An Act to provide for the recognition of the long service of mine rescue personnel / Projet de loi 47, Loi prévoyant la reconnaissance des longs états de service du personnel de sauvetage dans les mines.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

The member, for a short explanation.

**Ms Shelley Martel (Nickel Belt):** The members of the Ontario mine rescue staff respond when a miner is trapped or injured or if a fire breaks out in a mine underground or on the surface. These highly trained expert personnel play a vital role in maintaining the safety of Ontario mines and miners. It's important to recognize the many years of service given by the members of the Ontario mine rescue organization. To that end, the bill authorizes a person specified as the awards officer to issue long-service awards to persons involved in the provision of mine service rescue.

SUPPLY ACT, 1999  
LOI DE CRÉDITS DE 1999

Mr Sterling, on behalf of Mr Eves, moved first reading of the following bill:

Bill 48, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 2000 / Projet de loi 48, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 2000.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1357 to 1402.*

**The Speaker:** Mr Sterling has moved first reading of An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending March 31, 2000.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

**Ayes**

Amott, Ted	Hodgson, Chris	Runciman, Robert W.
Baird, John R.	Hudak, Tim	Sampson, Rob
Barrett, Toby	Jackson, Cameron	Skarica, Toni
Beaubien, Marcel	Johns, Helen	Snobelen, John
Chudleigh, Ted	Johnson, Bert	Spina, Joseph
Clark, Brad	Kells, Morley	Sterling, Norman W.
Clement, Tony	Klees, Frank	Stewart, R. Gary
Coburn, Brian	Marland, Margaret	Stockwell, Chris
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.
DeFaria, Carl	Maves, Bart	Tilson, David
Dunlop, Garfield	Mazzilli, Frank	Tsubouchi, David H.
Ecker, Janet	Molinari, Tina R.	Tumbull, David
Elliott, Brenda	Munro, Julia	Wettlaufer, Wayne
Flaherty, Jim	Murdoch, Bill	Wilson, Jim
Galt, Doug	Mushinski, Marilyn	Witmer, Elizabeth
Gill, Raminder	Newman, Dan	Wood, Bob
Guzzo, Gary J.	O'Toole, John	Young, David
Hardeman, Ernie	Ouellette, Jerry J.	
Harris, Michael D.	Palladini, Al	

**The Speaker:** All those opposed to the motion will please rise one at a time and be recognized by the Clerk.

**Nays**

Agostino, Dominic	Curling, Alvin	McGuinty, Dalton
Bartolucci, Rick	Di Cocco, Caroline	McLeod, Lyn
Bountrogianni, Marie	Dombrowsky, Leona	Parsons, Ernie
Boyer, Claudette	Duncan, Dwight	Patten, Richard
Bradley, James J.	Gerretsen, John	Peters, Steve
Brown, Michael A.	Gravelle, Michael	Phillips, Gerry
Caplan, David	Hoy, Pat	Pupatello, Sandra
Cleary, John C.	Kwinter, Monte	Sergio, Mario
Colle, Mike	Lalonde, Jean-Marc	Smitherman, George
Conway, Sean G.	Levac, David	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 55; the nays are 29.

**The Speaker:** I declare the motion carried.

**MOTIONS**

**HOUSE SITTINGS**

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I move that pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to midnight on Tuesday, December 21, 1999, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

## FEDERAL TAXATION

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** Mr Speaker, I seek unanimous consent to move a motion calling on the federal government to reverse its decision to increase job-killing payroll taxes planned for January 1, 2000, and to instead reduce EI premiums in order to put money back into the hands of hard-working Ontarians and that the question on the motion be put immediately.

**The Speaker (Hon Gary Carr):** Is there unanimous consent? I heard some noes.

APPOINTMENT OF  
ENVIRONMENTAL COMMISSIONER

**Ms Marilyn Churley (Broadview-Greenwood):** I would like to ask for unanimous consent to debate my resolution that the Legislature order the general government committee to reconvene to reconsider the appointment of the Environmental Commissioner and that the question on this motion be put now.

**The Speaker (Hon Gary Carr):** Unanimous consent? I heard a no.

## DEFERRED VOTES

UNIVERSITY OF OTTAWA  
HEART INSTITUTE ACT, 1999LOI DE 1999 SUR  
L'INSTITUT DE CARDIOLOGIE  
DE L'UNIVERSITÉ D'OTTAWA

Deferred vote on the motion for second reading of Bill 39, An Act respecting the University of Ottawa Heart Institute / Projet de loi 39, Loi concernant l'Institut de cardiologie de l'Université d'Ottawa.

**The Speaker (Hon Gary Carr):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1409 to 1414.*

**The Speaker:** Mr Newman has moved second reading of Bill 39. All those in favour will please rise one at a time and be recognized by the Clerk.

## Ayes

Agostino, Dominic  
Arnott, Ted  
Baird, John R.  
Barrett, Toby  
Bartolucci, Rick  
Beaubien, Marcel  
Bountrogianni, Marie  
Boyer, Claudette  
Bradley, James J.  
Brown, Michael A.  
Caplan, David  
Christopherson, David  
Chudleigh, Ted  
Churley, Marilyn

Gerretsen, John  
Gill, Raminder  
Gravelle, Michael  
Guzzo, Garry J.  
Hampton, Howard  
Hardeman, Ernie  
Harris, Michael D.  
Hodgson, Chris  
Hoy, Pat  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen  
Johnson, Bert  
Kells, Morley

Mushinski, Marilyn  
Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.  
Palladini, Al  
Parsons, Ernie  
Patten, Richard  
Peters, Steve  
Phillips, Gerry  
Pupatello, Sandra  
Ramsay, David  
Runciman, Robert W.  
Ruprecht, Tony  
Sampson, Rob

Clark, Brad	Klees, Frank	Sergio, Mario
Cleary, John C.	Kormos, Peter	Skarica, Toni
Clement, Tony	Kwinter, Monte	Smitherman, George
Coburn, Brian	Lalonde, Jean-Marc	Snobelen, John
Colle, Mike	Lankin, Frances	Spina, Joseph
Conway, Sean G.	Levac, David	Sterling, Norman W.
Cunningham, Dianne	Marchese, Rosario	Stewart, R. Gary
Curling, Alvin	Marland, Margaret	Stockwell, Chris
DeFaria, Carl	Martel, Shelley	Tascona, Joseph N.
Di Cocco, Caroline	Martiniuk, Gerry	Tilson, David
Dombrowsky, Leona	Maves, Bart	Tsubouchi, David H.
Duncan, Dwight	Mazzilli, Frank	Turnbull, David
Dunlop, Garfield	McGuinty, Dalton	Wettlaufer, Wayne
Ecker, Janet	McLeod, Lyn	Wilson, Jim
Elliott, Brenda	Molinari, Tina R.	Witmer, Elizabeth
Flaherty, Jim	Munro, Julia	Wood, Bob
Galt, Doug	Murdoch, Bill	Young, David

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 93; the nays are 0.

**The Speaker:** I declare the motion carried.

Shall the bill be ordered for third reading? Agreed?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

## MEMBER'S PRIVILEGE

**Ms Marilyn Churley (Broadview-Greenwood):** Mr Speaker, I rise on a point of privilege and, as required under standing order 21(c), have given you the appropriate notice.

Yesterday I rose on a point of order and directed your attention to a letter from the member for Halton North to the three House leaders. Later you agreed with me that this matter is better as a point of privilege, and it is with that advice that I rise today.

For your consideration, I have attached a copy of the letter from the member for Halton North to my notice of this point of privilege.

At the outset I want to point out why this letter is a matter for you to deal with in this House. According to Maingot in Parliamentary Privilege in Canada, "If one member speaking outside the House reflects improperly on the conduct of another member's parliamentary activities and the matter is raised as a matter of privilege in the House, the Speaker certainly has jurisdiction to examine those same words and determine if there is a prima facie case of privilege or contempt of the House."

Mr Speaker, this letter attacks my integrity as a member of this Legislature and it makes allegations concerning my conduct and my character. Allow me to briefly outline why this is the case.

The letter states that the concern surrounding the appointment of the Environmental Commissioner, a friend of the Premier's, has been created from, and I quote from the letter, the "unprecedented and utterly inappropriate disclosure of information (much of it inaccurate) regarding the committee's review process by one of the committee members, Marilyn Churley."

It goes on to outline how I voted, who my preferred candidate was, and even how other members of the committee voted. It states, and I quote again from the



letter, "Mr Miller received very high or the highest rankings...from every MPP, regardless of political stripe (with the exception of Ms Churley), up to the final selection process."

The member from Halton North actually reveals how various members of the committee voted, while attacking my character.

1420

Finally, I would suggest that the tone of the letter is intimidating and threatening. The member for Halton North writes that he hopes that the three House leaders will "extract from Ms Churley the apology that Mr Miller deserves." I find the use of the word "extract" offensive and suggesting intimidation. The Oxford dictionary defines the word "extract" as "remove or take out especially by effort or force."

Again, according to Maingot:

"Members are entitled to go about their parliamentary business undisturbed. The assaulting, menacing or insulting a member on the floor of the House or when he is coming or going to or from the House, or on account of his behaviour during a proceeding in Parliament is a violation of the rights of Parliament. Any form of intimidation of a person for or on account of his behaviour during a proceeding in Parliament would amount to contempt."

Mr Speaker, I could also spend some time here today outlining the inaccuracies with the letter, like the fact that the government House leader had originally offered to have a fair, non-partisan process by having one member per party on the committee, but that was later withdrawn by the government for a government majority. But I will not take the time now to get into that.

In closing, Mr Speaker, I am asking you to rule on this, and in doing so, should you find that I have a question of privilege, I am prepared to move the necessary motion to refer the matter to the standing committee on the Legislative Assembly. Thank you for this opportunity, Mr Speaker.

**The Speaker (Hon Gary Carr):** I want to thank the member for giving me advance notice.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I find it a bit ironic that the member opposite who is raising this point of privilege was the first member to divulge the committee's business, which was highly confidential. She was the one who brought forward the names of various candidates and made them public before the committee reported to the House. She not only made it public by talking about it, but she held a press conference to break this particular news. We find this absolutely without ground with regard to her raising this point of privilege. Talk about the pot calling the kettle black.

Yesterday also in this House the same member impugned one of the candidates by calling that candidate a lapdog. She also impugned all of the members of the committee of the Legislature who had participated in this process by slandering them with regard to their choice in this whole process.

I don't find this funny, as she does. This is a serious process. This has been a public process, more public than the previous process under the NDP government of 1994, and we are proud of the work the committee did in this regard.

*Interjections.*

**The Speaker:** Order. The member come to order, please. Order, everybody. We're coming to the end of the session; there's no need for tempers to get riled. I thank the member for giving me advance notice. I will reserve judgment on that.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Speaker: On another question, later today, in an attempt to get the Premier's friend appointed Environmental Commissioner, the government has indicated to the official opposition that we will be debating government motion number 30 in the afternoon session with respect to that appointment. A number of procedural questions, I believe, are going to require your ruling.

First of all, is it appropriate that this motion could be heard twice in one calendar day? It's the view of the official opposition that this motion is a substantive motion and it ought to be treated the way a bill is and therefore we cannot hear it both in the afternoon and in the evening session.

We don't know yet whether the government will call it in the evening session, but it has been indicated to us by the government House leader's office that in fact that is a possibility. That is the first point of order: Will we be able to debate this motion twice in one calendar day?

The second one is problematic as well and will require your ruling, and we hope that you would be available, if not to rule on it now, then today. The government will have to bring a motion of closure in order to deal with this today if that is the government's direction. It would be the opinion of the official opposition that a motion to force closure today would be premature, and not enough time would have been spent by this Legislature in debating the appointment of the commissioner.

It is also the view of the official opposition that the time spent in committee ought not to be considered as part of that time to consider the appointment.

Sir, you will be called at some point today to make these rulings. I wanted to give you that notification now in order that the Premier's friend not be jammed through as Environmental Commissioner.

**The Speaker:** I thank the member for letting me know. As you know, depending on what the government calls, I can't rule on something until it does happen, but I assure the members that I will be here for the amount of time it takes, all day and all evening. As long as you're here, I'm here to hear those point of order. I thank you for the advance notice.

**Mr James J. Bradley (St Catharines):** I would just ask unanimous consent of the House to pass second and third reading of Bill 16, my bill on gasoline prices.

**The Speaker:** Is there unanimous consent? I heard a no.

## ORAL QUESTIONS

## NATIONAL UNITY

**Mr Dalton McGuinty (Leader of the Opposition):**

My question is for the Premier. I think I should begin by marking this momentous and extraordinary occasion by welcoming the Premier to the Ontario Legislature. Welcome.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** The member failed to follow your instructions, Mr Speaker, and I would ask you to advise.

**The Speaker (Hon Gary Carr):** It was borderline. He was welcoming him, but I asked all members, and you know I've said this before: We cannot talk about when members are here. There have been occasions when some members have been here. I've also watched on occasion when government members have been here, and it could have referred to opposition.

**Mrs Sandra Pupatello (Windsor West):** It's a good thing there's a nameplate on the desk.

**The Speaker:** The member for Windsor West come to order, please. I would ask all members not to try and be cute with borderline remarks and not refer to when members are there.

**Mr Gilles Bisson (Timmins-James Bay):** On a point of order, Mr Speaker: I'm sure you would want to know that the former member for Cochrane North, Len Wood, is visiting here today. Would you like to give him a welcome?

**The Speaker:** Welcome, the former member.

**Mr McGuinty:** Premier, I have a question for you regarding your absence in the national debate on the Prime Minister's clarity bill. You will know that this bill sets out the rules that Quebec separatists are going to have to follow, should they decide to break away from Canada. In keeping with the Supreme Court of Canada's ruling, the legislation calls for a clear majority on a clear question.

Thoughtful Canadian leaders from coast to coast have offered their opinion or commentary on this bill. All you have offered thus far is a deafening silence. Premier, on behalf of Ontario's 11 million citizens, can you tell us what the position of the government of Ontario is on the Prime Minister's clarity bill?

**Hon Michael D. Harris (Premier):** I am surprised that, given the flip-flops and lack of interest in job creation in the business of this Legislature, now you also want to use this Legislature to debate federal legislation. I've indicated that it's entirely appropriate for the Prime Minister in the federal Parliament to respond to the court ruling with the piece of legislation. I've indicated that is their domain. As you know, just like the mayor of the city or of the province of Toronto, whichever it is from time to time, we're good friends and we support one another, just as I support the Prime Minister.

1430

**Mr McGuinty:** This surely is eminently newsworthy. The Premier has nothing to say about a federal initiative. He has never shown any reluctance, any hesitation whatsoever in the past either to pass judgment or to offer criticism when it comes to the federal government. But suddenly he is absolutely silent. He is terrified of this issue.

Premier, you and your predecessors have been commissioned by history to play a leadership role when it comes to the continuing evolution of our country. You have a responsibility to stand up for Ontario and to stand up for Canada. You cannot shrink from this issue. Leadership is not an option here. Where do you stand when it comes to the new rules being put forward by the Prime Minister of Canada?

**Hon Mr Harris:** I think I've made it very clear where I stand, and our leadership in national unity is one of making this province and this country so prosperous—

*Interjections.*

**The Speaker:** Order. The member for Windsor-St Clair come to order. I cannot hear the Premier's answer. I need to hear the answers of members and I will not put up with shouting across at each other, and that goes for both sides.

**Hon Mr Harris:** I think the members opposite will know—

*Interjection.*

**The Speaker:** Premier, sit down. This is the member's last warning. The member for Windsor-St Clair, his last warning. Two seconds after I sit down, I do not appreciate it when you yell across. The last warning for the member for Windsor-St Clair.

**Hon Mr Harris:** I think the members opposite from all parties know, and the public of Ontario knows very well, the leadership role Ontario has played under previous premiers. When there have been constitutional challenges, they've been able to do so, I might add—premiers Robarts and Davis, premiers Rae and Peterson—by maintaining a positive dialogue with all premiers in the country and the Prime Minister by sticking within their jurisdiction.

We, though, have taken an additional role, as you know, the leadership role in the Calgary declaration. That, combined with making this country the most dynamic, economically desirable country in the world in which to live, I would suggest is a contributing factor for separatism anywhere in the country being at an all-time low.

**Mr McGuinty:** Premier, if you think there is some kind of economic lever that you or anybody else might pull that's going to induce Lucien Bouchard into embracing Canada, you've got another think coming.

You are no longer, sir, a school board trustee. You are no longer a backbencher. You are now the Premier of Ontario. That is an important job. One of the important responsibilities that comes with that is to understand Ontario's place in Confederation, to understand Ontario's



place when it comes to lending continuing shape to the country of Canada.

You are missing in action on this issue and you have a responsibility on behalf of all Ontarians to step up to the plate and speak up for Canada. You have failed to do so, so far. The government of Canada has put forward a proposal that's going to affect our relationship with this country and our largest trading partner, the province of Quebec. Where do you stand on this issue?

**Hon Mr Harris:** I think it's been eminently clear that since our election and our leadership by the members on this side of the House, the unity of Canada has never been in a stronger position. Those seeking to destroy this country, to separate this country, have in fact been very supportive of the agenda put forward by the province of Ontario. They were supportive of the leadership we took in the Calgary declaration. They are supportive of the positions we have taken to make this country the most desirable in the world in which to live.

I might add that our position on the specific motion you mentioned is one that is 100% supported by the Leader of the Opposition in Quebec, the honourable Jean Charest, with whom we consult on a regular basis. Had you taken the opportunity to consult with other leaders across the country, you would know that your positions are generally out to lunch and divisive.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Mr Dalton McGuinty (Leader of the Opposition):** I have another question, also for the Premier. Later today your government is going to bring forward a motion to hire a man named Gord Miller to be Ontario's new Environmental Commissioner. I want to read to you from the job description of the Environmental Commissioner. It says: "The Environmental Commissioner of Ontario is an independent officer of the Legislative Assembly. The Environmental Commissioner reports to the Legislative Assembly, not to a political party or to a ministry."

Certainly one of the most important qualifications of any candidate for this job, Premier, has to be their independence from government and from partisan politics. Before the Legislature debates your government's motion this afternoon, can you explain to us how it is that your personal friend, your federal riding president and a two-time Tory candidate can possibly be considered either independent or non-partisan?

**Hon Michael D. Harris (Premier):** Let me say that I have been in this Legislature now for over 18 years and I have seen very partisan members of this Legislature, some who had campaigned on many occasions, some on three occasions, members of the New Democratic Party and of the Liberal Party, who had been very partisan and campaigned and then sought election to a non-partisan role, that of being Speaker of the Legislature. I have found the people we have elected very capable, should they have the expertise required to do that.

I say to you that the member you have brought forward has been proven to be eminently qualified in the area of the environment. I think that has been paramount to him in his application for this position. I have found nobody in the whole province who does not think he is eminently qualified for this position.

**Mr McGuinty:** It's always fun watching the Premier defend the indefensible. Premier, this man's credentials are absolutely impeccable when it comes to his blue-blooded Tory lineage. That's where his credentials happen to be impeccable. I know you are deeply embarrassed when it comes to your government's environmental record. You have taken us from first place in North America to the point where we now hold the dubious distinction of occupying the second-worst position in North America.

I know you hate the Environmental Commissioner's report as much as Bob Rae hated the provincial credit rating he received, which by the way you have done no better on. But your embarrassment doesn't give you the right to appoint the equivalent of Sergeant Schulz to the position of Environmental Commissioner. Premier, why don't you understand that Ontarians don't want someone who'll say yes to you; they want someone who'll say yes to the environment?

**Hon Mr Harris:** I'm sorry, I don't know if that reference means you believe he was a member of the Nazi Party. I'm not quite sure what you're putting forward in the Legislature here. I can tell you this, that your tone, your rhetoric, your allegations are inappropriate, unbecoming of a member of this Legislature, let alone a leader of Her Majesty's loyal opposition.

**Mr McGuinty:** I, Premier, am going to take lessons from you about arrogance? Give me a break. They're entering you in the Guinness—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Member take his seat. Come to order. Minister of Education, come to order. Member for Beaches-East York, come to order, please. Thank you. Leader of the official opposition.

1440

**Mr McGuinty:** Premier, we feel there are some things, just a few things, that should require all-party support, and one of those things happens to be the appointment of our environmental watchdog, somebody who will be absolutely scrupulous, who will operate at arm's length and who will without hesitation at any time criticize the government for failing to respect environmental laws, for failing to uphold the environment in Ontario. That's what I happen to believe when it comes to the appointment of the Environmental Commissioner.

My question for you, Premier, is why is it that you stand in support of a man who has impeccable blue-blooded Tory lineage when it comes to an important decision on which your government has failed so miserably for so long?

*Interjections.*

**The Speaker:** Premier take his seat. Come to order.

**Hon Mr Harris:** First of all, I want to say that I agree entirely with the member that nobody can teach you anything new about arrogance, and I accept that. I think you have clearly demonstrated that in taking your party to the depths of gutter politics, unlike we've ever seen in this Legislature.

Second, with reference to the member, I am shocked you would think that somebody of blue-blooded Tory lineage would not be absolutely the best person to protect the environment in this province. For you to imply otherwise is to say that if you live in North Bay—of which more than half the people continually vote for Mike Harris and support Mike Harris, happy to shake his hand—then you're not eligible for a job in the province; that if you vote Tory or if you are a Tory, somehow or other you're not eligible—

*Interjections.*

**The Speaker:** Order. Member for Windsor West, come to order.

New question, the leader of the third party.

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Premier. I want to read for you a quotation from the Environmental Commissioner's background paper, which states: "Independence is a vital feature of the Environmental Commissioner's effectiveness. ... In particular, the position is independent from the party in power."

Gord Miller ran as a Conservative candidate in 1995 on the Common Sense Revolution, which didn't even mention the word "environment." In 1997 he was the Conservative candidate in your own riding, and until four days ago he was the president of the Conservative riding association in your own riding.

*Interjections.*

**The Speaker:** Minister of Transportation, come to order. Member for Windsor West.

The leader of the third party.

**Mr Hampton:** I want to quote for the Premier again: "In particular, the position is independent from the party in power." This gentleman doesn't just hold a Conservative card; until four days ago he was running the Conservative party in your home town. How can that individual be independent from you, the party in power?

**Hon Mr Harris:** This is the same method that was used to select the first Environmental Commissioner. All applicants applied on the basis of their qualifications. Nobody put forward the individual's name from my office, from my caucus, from the PC Party, and the human resources department deemed him eminently qualified, as did the committee. I would say he will be certainly truly independent, just as David Cooke is at the EIC and Floyd Laughren at the OEB.

**Mr Hampton:** Premier, the problem you have is that the Environmental Commissioner's job is quite a different job. The Environmental Commissioner's job is to hold you accountable, to hold your government accountable for the environmental mistakes it makes.

*Interjections.*

**The Speaker:** Member, take his seat. Come to order. Government benches, please come to order so I can hear the question."

Leader of the third party.

**Mr Hampton:** I know your members don't like these questions, but I want to quote for you section 7.2 of the Policies and Procedures Manual of the Environmental Commissioner of Ontario:

"The high conflict of interest threshold is more stringent for offices of the provincial Legislature, such as the Environmental Commissioner, which performs an independent review of the provincial government.

"ECO employees must not participate in activities that might identify them as members or supporters of a political party.

"The following are examples of prohibited political activities:" president of riding association.

Premier, if the employees of the commissioner can't have political affiliation, how can the commissioner himself be your good buddy and president of your riding association?

**Hon Mr Harris:** First of all, the applicant has never been president of my riding association, and obviously if he becomes the commissioner he will not be eligible to be president of any riding association, even yours.

But I might say that there is a party—probably the topmost non-partisan job is secretary of cabinet—which upon taking office took their campaign manager and stuck him in as secretary of cabinet of the civil service of this province. You, sir, are in no position, nor is your party in any position to lecture anybody about partisan appointments.

**Mr Hampton:** Premier, the problem you have is this: This job of Environmental Commissioner is supposed to be the critic of your government. The head of the public service is supposed to ensure that the public service works for your government. That's the problem you've got.

Until four days ago he was the president of the Conservative federal riding association in your hometown. He didn't appreciate the conflict of interest until my colleague Marilyn Churley pointed it out to him. He didn't resign until it was pointed out to him that it was a conflict. It's impossible for Gord Miller to be seen by the public as independent of you or your government.

Premier, will you urge the committee to go back and find an Environmental Commissioner who isn't the president of your riding association, who hasn't been your federal candidate, who hasn't been a provincial candidate and who wasn't tied to you until four days ago? Will you do that?

**Hon Mr Harris:** Let me just repeat for the record that Mr Miller has never been president of my riding association and I don't know why the member keeps bringing that up when he knows it's blatantly untrue. He has been president of another riding association of which from time to time I have been a member as well. Nonetheless, we're talking about the future. Certainly the human resources department and all of those involved in the



environment have said that this is a gentleman who is eminently qualified.

Listen, we are a party which, even when they are still active members of the party, does encourage dissent. We have many members who don't hesitate to criticize their own government. The members for Wentworth-Burlington and Stoney Creek are good examples of that, something we encourage in our party. Your two parties have whipped this co-operation and forced votes out of your parties. Ours is a party that has never done that. In fact, we encourage this kind of debate.

1450

### EMERGENCY SERVICES

**Ms Frances Lankin (Beaches-East York):** My question is to the Minister of Health. Yesterday you made an announcement to temporarily ease the emergency room situation in Toronto. After weeks of you and the Premier denying the existence of a crisis, it was a relief to see that you're finally admitting you have botched health restructuring.

In response to your announcement, however, Frank Bagatto, CEO of Hotel Dieu Hospital in Windsor, had this to say: "Once again, if you have a crisis in Toronto, it's resolved. If there's a crisis outside of Toronto, it's not resolved. The gap is widening."

You see, Minister, his hospital can't just put patients on redirect who can't come into the emergency room, because they don't have enough money to treat them there. You closed two of the four ERs before you put the community investment and capital investment in place. You forced that hospital to go \$8 million in debt in order to meet community needs and to deal with the additional emergency patients.

You like to talk about past governments and past headlines. Look at the headlines from the last month around emergency rooms that are about to explode like powder kegs in Niagara, Halton, Oakville, Kingston, Kitchener-Waterloo, Sault Ste Marie, Hamilton.

Minister, you've given a temporary fix to Toronto but you've done nothing in that announcement to address the emergency room problem that is exploding all around the province. What are you going to do for critically ill patients who need emergency services outside of Toronto?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member knows, we have certainly expressed our concern about the emergency room pressures on an ongoing basis. We've set up the task force and we already have put forward \$225 million to ensure that those pressures can be met across the province. We also released a further \$90 million to help with pressures across the province, and prior to the announcement yesterday we further made available \$97 million to fast-track the construction of approximately 56 emergency rooms across the province.

The member knows that we continue to take steps forward in order to ensure that the pressures throughout Ontario are met. The member also knows that this is an

ongoing problem, not only for Ontario but certainly, as was pointed out to us yesterday by Dr McCutcheon, this is a problem in Ireland, it is a problem in all of North America and—

**The Speaker (Hon Gary Carr):** Order. I'm afraid the minister's time is up. Final supplementary.

**Mr David Christopherson (Hamilton West):** Minister, the fact that you've put a bit of a Band-Aid to the Toronto situation shows that you're dealing with PR but not adequately dealing with the ER crisis that exists, certainly in Hamilton. We've been raising with you for months now the implications of allowing, and the necessity of, the \$40-million shortfall in the Hamilton Health Sciences Corp budget. We have told you that our emergency rooms are bursting at the seams.

This morning in the Hamilton Spectator there was a front-page story about Mr Allan Boudreau who's now in a hallway as part of the new policy they've had to implement. He may indeed have liver cancer and yet he is stuck in a hallway, and you respond to our emergency room crisis by throwing a few bucks around in Toronto, recognizing that not even that's enough.

Tell us today what you're going to do to fix the mess that you have created in Hamilton, in Toronto and across the province, and tell us how you're going to stop having patients that possibly have cancer being stuck out in a hallway.

**Hon Mrs Witmer:** The member from the third party knows that they were the ones who didn't deal with this issue of emergency room pressures. In fact, they were the party that did not construct one single long-term-care bed. We went through 10 years of no long-term-care beds in this province. You were also the party of social contract who reduced hospital funding throughout Ontario. We are the party that has put forward \$90 million in order to deal with the transitional issues related to emergency rooms, and yesterday we put further steps in place. We have identified and are responding to the pressures in all parts of the province.

**Hon Chris Stockwell (Minister of Labour):** On a point of order, Mr Speaker: I just wanted to say that a testament, I guess, to our whip's ability is sitting in the west gallery of the government's gallery, Mr Ron Johnson, the previous member for Brantford.

**The Speaker:** I thank the member. Just so they know, so we don't do it during question period, I had it to do after question period so we don't take time.

**Hon David Turnbull (Minister of Transportation):** On a point of order, Mr Speaker: I think that there's a mistake been made because I was always looking for Mr Johnson and don't know if that's him.

### HEALTH CARE

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Premier. I want to relate to you the story about an Ottawa woman. Her name is Lorraine Raymond. She's 63 years of age. She's worked hard all of her life outside the home in addition to raising a

family. What happened to her should not happen to any Ontarian. She was diagnosed in September with breast cancer. They told her that it was very serious and that it was absolutely essential that she have both breasts removed. She went for her surgery, which was scheduled for December 3 at the Ottawa Hospital, and when she got there she was told that there were no beds. The chief of staff for the Ottawa Hospital says, "In order to clear the emergency of patients, we moved them into surgery beds."

This woman was given two choices: Go home without the surgery and allow the cancer to grow inside her, or proceed with the surgery and go home without post-op care. Premier, what kind of choice is that to give a woman struggling with cancer?

**Hon Michael D. Harris (Premier):** The Minister of Health can respond.

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the Leader of the Opposition knows, decisions such as those that you're referring to are clinical decisions. They are decisions that are made by medical professionals, and for any medical procedure it is the performing surgeon who determines whether the procedure should be performed on an outpatient or an inpatient basis. Obviously, we need to make sure that these remain clinical decisions. They are best made by the medical professionals.

**Mr McGuinty:** I phoned Mrs Raymond this morning and I asked her why she decided to proceed with the surgery on that day, December 3, even though there was no bed available for her post-op. She said to me on the telephone earlier today, "When you have cancer growing inside you, you don't want it to grow any more, so you take what you can get."

Minister, I want you to take your nose out of your book. I want you to consider carefully what we're talking about here. We're talking about a 63-year-old woman, a mother who had worked hard all her life, played by all the rules, and when it came time for her to get some health care, some good quality health care, you weren't there for her. You let her down. Will you stand up, Minister, and apologize to this woman for letting her and her family down?

**Hon Mrs Witmer:** Again I would say to the Leader of the Opposition that these are clinical decisions and they are best left to the medical professionals who have the expertise and not the opposition parties.

#### CHILDREN'S SERVICES

**Mr Carl DeFaria (Mississauga East):** My question is for the minister responsible for children. Minister, it is your responsibility to review programs that may have an impact on Ontario's children. Can you please tell this House what legislation, programs or policies the government has initiated for children over the session of this Parliament?

*Interjections.*

**The Speaker (Hon Gary Carr):** Will the member take his seat. Sorry to interrupt. I will not continue as long as members are arguing the last question. There is a new question from a new member. I would appreciate it if all members would give him the courtesy of listening to the question. Now I believe it is the minister's response.

**Hon Margaret Marland (Minister without Portfolio [Children]):** I'd like to thank the member for Mississauga East for this important question. In fact there are a number of new initiatives that our government has done with new programs for children in this session of Parliament.

First of all, in October I announced five demonstration projects which are the beginning of perhaps what will be one of the most important things that any government has ever done in this province for any children. The future of the children in this province will now be enhanced by the fact that we are the government that is focusing on the early years. These demonstration projects will show us, through the task group that will oversee this program introduction, how to do early child development and parenting centres to the greatest benefit of these children.

We also have a number of enhancements. The Minister of Finance has increased the Ontario child care supplement for working families. That is now \$1,100 per—  
**1500**

**The Speaker:** Order. I'm afraid the minister's time is up.

**Mr DeFaria:** I understand that as minister responsible for children, your mandate includes children from birth to 18 years of age. What I want to know is what initiatives our government has undertaken specifically for youth during this legislative session. Minister, tell us what you have done so far for the youth of Ontario.

**Hon Mrs Marland:** We have also reintroduced Christopher's Law. When Christopher's Law is passed in this House, Ontario will be committed to having Canada's first sex offender registry. This will ensure the safety of all people, including children of all ages.

Last week I announced \$11 million in new funding for children with special needs, \$7 million for respite care, and \$4 million for children's treatment centres. In November my colleagues the Minister of Education and the Minister of Training, Colleges and Universities launched the Passport to Prosperity campaign to encourage employers to hire high school students and provide them with workplace experience.

Finally, another program of the many is LEAP. Through Learning, Earning and Parenting, our government is helping teen parents on welfare to finish high school—

**The Speaker:** The minister's time is up.

#### PREMIER'S ATTENDANCE

**Mr George Smitherman (Toronto Centre-Rosedale):** My question is to the Premier, who was with us just briefly. I'm wondering if he might make his way



back. As a new member of the Legislature—I know that he'll be watching on TV—I am astonished by your disregard for this place. Like it or not, and you don't seem to, the Legislature—

**The Speaker (Hon Gary Carr):** Could you just wait for a quick moment until the Premier makes his way back.

The member may continue.

**Mr Smitherman:** Mr Premier, I was saying that I was astonished by your disregard for the Ontario Legislature. Like it or not, and you don't seem to, this Legislature is the only place in the province where the representatives of all Ontarians can debate the most important issues of the day. We in the opposition, by popular vote, represent a majority of Ontarians, and question period is the only opportunity we have had to hold you directly accountable for the decisions you make.

Premier, you have had 30 opportunities to attend question period since the election and, disgracefully, you have been here just eight times, including today.

*Interjections.*

**The Speaker:** The member take his seat.

I was listening carefully, and when I'm shouting at the government members, that's when you sometimes miss it. I caught it at the end. The member will know, and I will say it very clearly: I ask him to withdraw that. We are not going to be referring here—if the government members wouldn't yell, I would be able to hear him. I ask the member to refrain from talking about it. I've asked all members very clearly on occasion not to do this, and they continue to do it. This is the last warning to everybody. I will not put up with anybody breaking the standing orders: Last warning to everybody in this House. If they do it again, they will be named.

**Mr Smitherman:** Mr Speaker, I'll withdraw that and rephrase my question to the Premier. I will ask it with respect to the job performance of Ontarians. I would ask the Premier, if someone shows up for work only once every fourth day, whether they should be able to keep their job.

**Hon Michael D. Harris (Premier):** No.

**Mr Smitherman:** Thank you. I've looked through some people who are working in various positions. In 1971 there was a gentleman holding a very important job in Ontario and he came to work 77% of the time. Another one in 1985 came to work over 80% of the time. One in 1990 came to work over 65% of the time.

Do you think, Premier, it would be appropriate for that person in his next job segment to get to work at least half of the time?

**Hon Mr Harris:** Let me assure you that I am at work 100% of the time, which is why this province has gone from 10th and last—

*Interjections.*

**The Speaker:** Order.

**Hon Mr Harris:** It's why this province, after 10 years of being driven into the ground, after 10 years of Liberal and NDP government where we went from a proud province that held this country together, that led this

country in jobs, in growth, in investments, had fallen down to this dismal 10th and last-place performance, now, because I'm on the job 100% or 200% of the time and because this caucus and this party is on the job 200% of the time, leads the country in job creation, in growth, in numbers of people—

**The Speaker:** Order. I'm afraid the Premier's time is up.

On a point of order, chief government whip.

*Interjections.*

**The Speaker:** Order. I will say clearly that points of order had better be brief in question period, because I'm going to start to rule.

**Hon Frank Klees (Minister without Portfolio):** On behalf of my colleagues, I want to thank the member for Toronto Centre-Rosedale for that question.

## MINING INDUSTRY

**Mrs Brenda Elliott (Guelph-Wellington):** My question today is for the Minister of Northern Development and Mines. As you know, the mining industry is a significant contributor to Ontario's wealth. Our colleague from Oshawa, in his member's statement today, indicated that the unemployment rate is dropping in the north. The strength of the mining industry is particularly important to the economic viability of the north, and many northern communities have been built on the prosperity of natural resources industries, particularly in mining.

I'd like to draw to the attention of the members of this House that mining is not restricted to northern Ontario. In my own city of Guelph, we have an active mine. Dolime operates a gypsum mine which is a significant contributor to our own local economy.

Minister, your ministry has announced an initiative called Operation Treasure Hunt in an effort to support the mineral industry. Could you please explain for the Legislature how Operation Treasure Hunt will trigger exploration and facilitate growth in the mineral sector of this province?

**Hon Tim Hudak (Minister of Northern Development and Mines):** I thank the member for Guelph-Wellington for that question. In fact, she's right: Mining is a very important part of the economy in northern Ontario and throughout the province as a whole, with some 35,000 jobs associated with the mining industry.

Because of the strength of the economy in Mike Harris's Ontario, revenues are up and we can afford to invest in programs like Operation Treasure Hunt, a two-year program, a \$19-million investment into the latest geoscience and geochemical surveys. These data will help us set the targets for prospecting and developing in the future, with new information that will become available to help reduce the risk of exploration and to encourage prospecting and development across Ontario, and importantly in northern Ontario. This investment in the future of Ontario will help to revitalize the mining industry and keep it strong into the future.

**Mrs Elliott:** This sounds like a significant investment and hopefully will help create those 825,000 jobs that we promised in our Blueprint, building on the 610,000 that we've already accomplished in the province of Ontario.

You've indicated that this is one of the largest and most ambitious geoscience programs in Canada and that it will identify many new exploration targets by mapping out the geology. I'm concerned, Minister: Hasn't the province's geology already been mapped out? How will this differ from other, previous surveying initiatives?

**Hon Mr Hudak:** In fact, in Charlottetown at the mines ministers' conference a couple of months ago, I was able to boast about this record investment into geoscience and mapping in northern Ontario, which by far outshines any other investment in the past. Yes, there had been some mapping done in the past by previous governments, but nothing close to the \$19-million investment under the Mike Harris government.

Not only is quantity important, but the quality of the information is going to be very important to the prospecting and development community. Not only will this information be available in the traditional maps, as the member said, but most importantly will be put on the Internet for 24-hour access, seven days a week internationally, as well as being available on CD-ROMs.

By using recent advances in technology, our government can help identify these targets for zinc, for platinum element groups, for gold, for copper and for nickel down the road to help create jobs in the province today as well as an investment in job creation in northern Ontario well into the future.

1510

#### NATIVE YOUTH SUICIDE

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the minister responsible for community and social services. Two weeks ago in Thunder Bay there was a coroner's inquest into the very serious situation of youth suicides in remote northern First Nations, Nishnawbe-Aski First Nations. The coroner's jury made 41 recommendations. I want to read four that apply specifically to your government and your ministry:

"Develop, adopt and implement a comprehensive aboriginal mental health policy.

"Develop, adopt and implement a comprehensive aboriginal child welfare policy that includes a child welfare model that respects the unique needs of northern aboriginal children."

"The Ontario child welfare risk assessment should be modified to recognize suicide and substance abuse as risk factors ...

"Comsoc should ensure that there is an adequate level of funding to Tikinagan Child and Family Services that would enable" them to protect children in need.

Minister, can you tell me how your ministry intends to respond to these very serious recommendations, and reply to the epidemic of youth suicides in northern First Nations?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** Obviously when any child is experiencing these types of difficulties it's a tremendous concern for everyone in Ontario. I have seen the coroner's inquest report, the jury recommendations he spoke of pertaining to our ministry. Obviously they are ones we just received two weeks ago. We'll obviously take the time to reflect on them and look at what opportunities we can have to build on some the successes we've undertaken with respect to child welfare in northwestern Ontario, with our native population and indeed right across the province.

Child welfare and child protection have been tremendous priorities for this government. We've seen, since our election, dramatic increases in funding to help support these areas. We've undertaken a whole host of initiatives to try to back up that new funding to ensure we can provide the best possible services for children right across Ontario.

**Mr Hampton:** In fact the recommendations I read to you are not new recommendations. They were made two weeks ago, but these same issues were raised by me on behalf of the deputy grand chief of Nishnawbe-Aski Nation last January, where we were debating the Child and Family Services Act. The grand chief put on record, as you are aware, that the First Nation child welfare agencies were not adequately consulted by the government. The aboriginal representatives who attended a four-hour session in Thunder Bay, Ontario, to discuss the legislative initiatives, were told that was the consultation.

While it may be accurate to say that stakeholders in urban settings agree that this is good legislation and provide overwhelming support for the bill, this is not the case for First Nations agencies. First Nation agencies, they point out, need a system that is aboriginal specific; need to recognize the uniqueness of aboriginal communities, the unique challenges, the lack of mental health resources.

These issues were raised a year ago. Your government has done nothing. What are you going to do and when will you recognize that one size does not fit all, that what works in downtown Toronto will not work in remote aboriginal communities that don't have access to mental health services? That's what they're asking you for.

**The Speaker (Hon Gary Carr):** Order. I'm afraid the member's time is up. Minister.

**Hon Mr Baird:** Our top priority is the safety and security of every child in this province. I certainly want to agree with the member opposite that we can't take a cookie cutter approach, that there has to be a solution to help contribute to improved child protection, child safety, that reflect traditional aboriginal values, that reflect the geography of this province. Obviously no amount of children at risk is acceptable to this government.

We're committed to continue to work with aboriginal children's aid societies on these issues and how we can best use the new funding, the new tools, the new legislation brought forward by this government, to build on the consultations that I know my predecessor had with



representatives of this community to ensure we can deliver the best possible services.

I think we've made great progress in recent years. We have more work to do and will continue to work on that.

### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr Steve Peters (Elgin-Middlesex-London):** My question is for the Minister of Community and Social Services. The Social Benefits Tribunal is the final court of appeal for people you deny social assistance to. Last week your tribunal held hearings in the city of St Thomas, and they were held in the boardroom of a local hotel. Several persons with disabilities were scheduled to attend the ODSP hearings. They included persons with mobility impairments. Mark Chambers attended those hearings. He has chronic hepatitis C. It leaves him unable to work and has badly restricted his mobility. Despite this, Mr Chambers has been denied ODSP coverage. Your ministry says he is not sufficiently disabled.

Minister, there is no elevator, there are no stairs and the boardroom is on the second floor. Last week Mr Chambers had to crawl up a flight of stairs to prove he's disabled enough to collect the ODSP. These hearings were with persons with disabilities. Do you not have a policy on this? Is your ministry that incompetent? Do they not check and see if a hotel room is accessible to hold these ODSP hearings?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** I want at the outset to correct the honourable member. This government doesn't deny social assistance or income support to people. We have a very clear set of principles and these are undertaken not at the political level. I think it would be inappropriate if I let that remark stand.

Obviously the adjudication and the appeal process was undertaken by the Social Assistance Review Board and its successor, the tribunal. They make a whole host of these decisions. If the honourable member wants me to stand in my place and defend the disabled not being able to have access to these hearings, I'm not prepared to do so. I will take the issue back to the chair of the tribunal.

**Mr Peters:** Minister, there is really no excuse for what happened and what your staff did last week. I'd like you to know that Mark Chambers has been home in bed since last week. He's still recovering from the treatment he received. This is a sick man who has been treated like dirt.

I'd like to let you in on a little secret. It wasn't incompetence that led to this tragedy; it was cruelty. It was cold-hearted mean-spiritedness. It was nastiness that would rival Ebenezer Scrooge at his worst.

The staff at this hotel knew the boardroom was not accessible. They were surprised that anyone would want to book a room for persons with disabilities. The minister's staff was told that there were no elevators, that there were only stairs. They were told the site was inaccessible,

but this room was booked anyway. The staff of the ministry purposely made this person crawl up a flight of stairs to beg for his disability pension. Minister Scrooge, can you explain why your staff purposely made this man crawl up a flight of stairs?

**The Speaker (Hon Gary Carr):** Order. Member, please withdraw that.

**Mr Peters:** Speaker, I withdraw that. Minister Baird.

**Hon Mr Baird:** I want to again correct the record. My staff does not undertake these arrangements. They are undertaken by an arm's-length body which operates independently from government.

I think we can all from time to time get carried away with ourselves, but for the member opposite to suggest that this government would purposely have hearings on a second floor so a disabled individual can't get their appeal quite frankly is offensive and it doesn't serve the people of Ontario. It puzzles me why the member opposite would get in his car from St Thomas and come down here and spread that kind of drivel.

### GOVERNMENT INFORMATION CENTRES

**Mr Joseph N. Tascona (Barrie-Simcoe-Bradford):** My question is for the Chair of Management Board. Recently a government information centre was established in my riding of Barrie-Simcoe-Bradford. Since this is a new customer service initiative in Ontario, can you tell me how this will help improve customer service and what types of services my constituents can access at the centre today?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** I think the member for Barrie-Simcoe-Bradford has a very good question, and I'm pleased to give an answer to that.

It's part of the ongoing commitment of the Mike Harris government to get better value for taxpayers' dollars and at the same time improve the service the public receives. These government information centres are designed to provide one-stop shopping to the people of Ontario to get information they need, when they need it, in a timely fashion.

Some of the examples of initiatives that have been undertaken by empowering the front-line counter workers to come up with ideas on how to improve customer service involve practices such as the lost-wallet program. In the past if you lost your wallet, you might have to go to three or four different government offices, you might have to phone four or five different numbers. Now it's one-stop shopping. You pick up a package and replace all the things that were lost in your wallet.

1520

**Mr Tascona:** The services have been very well received in my riding. I'd just like to ask you, now that they've been up and running for about six months, can you tell me if there are any new services that my constituents can look forward to having available at the Barrie-Simcoe-Bradford government information centre?

**Hon Mr Hodgson:** At the government information centre in Barrie, the front-line staff have been very creative. One of the most commonly asked questions that they've dealt with is around employment and employment opportunities, so they've put together a package for people who are looking for work. They then come in and with one-stop shopping get all the application forms.

I know that every member of this House would be interested in improving customer service. That's why the Liberals are listening so attentively to all these improvements that have taken place under the Mike Harris government in the last four to five years.

When people approach 65 they need numerous forms. Now, for the first time, you can get that in one-stop shopping, in one kit, to do all the things that people want.

These are just some small steps on the road to improving government and making it work for the people.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Mr James J. Bradley (St Catharines):** I have a question for the Premier. Both of us have been in this House for somewhere around 20 years, you almost two decades, myself a little over. We've seen many appointments made by government, some of them that you and I would agree are better than others. I think we recognize that a government wants to place in positions where it's implementing its policy people who are in tune with the thinking of that government. But there are certain places, such as the Ombudsman, the Integrity Commissioner, the Provincial Auditor, the Information and Privacy Commissioner and, of course, the Environmental Commissioner, that require a person who has the confidence of all members of the House, who is seen to be completely independent, objective and impartial when being a watchdog for a government.

Premier, would you now, upon reconsideration, withdraw from consideration the name of Gordon Miller for this position? Mr Miller may well be reasonable to appoint to another position where you're implementing government policy, but where you need a watchdog, where you need a person who has to be totally objective, would you now consider withdrawing the nomination of Mr Miller for that position and perhaps consider him for some other position?

**Hon Michael D. Harris (Premier):** Were I to interfere with this appointment and the process agreed to by all three parties, you or the NDP would be the first to say this is an appointment that is being made under an approved process agreed to by all three parties in the Legislative Assembly and the Premier and the executive office and the cabinet ought to have nothing to do with it.

Now you are asking me to personally intervene and get involved in this appointment. No, I do not plan to overrule an all-party committee of this Legislature that has made this appointment on the basis of ability to do the job. I have every confidence, because I do actually happen to know the individual, that he is an environ-

mentalist, he cares about the environment. He'll be just as impartial as Gilles Morin on the Ontario Highway Transport Board or Bernie Grandmaître now on the Assessment Review Board or Frank Miclash on the Social Benefits Tribunal.

**Mr David Christopherson (Hamilton West):** On a point of order, Mr Speaker: I know you would want to know that's not quite accurate. We were given no choice on the process.

**The Speaker (Hon Gary Carr):** That is not a point of order.

**Mr Bradley:** Premier, if you were to have your party or your government or members of the Legislature appoint Mr Miller to any one of the positions you just mentioned, where three other members were appointed, I would say you'd be quite legitimate in that particular appointment.

What we have here is something entirely different. This is going to tarnish the office of the commissioner simply because you have a person who a lot of people will perceive, and I think even some Conservatives are going to perceive, is not going to be entirely objective. You have a chance to change that. You have a chance to appoint Mr Miller to another position. He may well be qualified for a position where you're implementing government policy, but we're talking about a watchdog for the government. If this Legislature is to function as it should, if we're to have that true independence, if we're to have the integrity of that office, it's essential that a person of that nature have the support of everyone, as does, for instance, the Ombudsman, who I believe is going to be appointed by the government. Premier, would you not reconsider, in the interests of the environment and the interests of all members of this Legislature?

**Hon Mr Harris:** The Ombudsman was appointed under the exact same process, and to ask me now to interfere in that process which has made a number of good appointments, including the Ombudsman—but now what you want is to say that this independent, arm's-length process, away from the Premier, away from the cabinet, "is OK as long as we agree, but we now want the right, after having reviewed, to ask questions like party preference," which none of our members asked, which wasn't on the application, which nobody knew anything about. The guy got there on his own through the human resources branch. Now you want to bring partisanship into it. Shame on you.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Speaker: On the question of the process surrounding this recommendation, first of all, the process was not agreed to by the parties; it was imposed. Number two—

**The Speaker:** That's not a point of order.

#### VOLUNTEER SCREENING

**Mr Bert Johnson (Perth-Middlesex):** My question is to the Minister of Citizenship, Culture and Recreation. The riding of Perth-Middlesex has a strong history of



people working together. Recently, a fire ripped through the downtown of Listowel. Everyone worked together to help put out the fire and now they continue to help each other in rebuilding the downtown core.

Helping people in need is something that I find comes naturally to the people of Perth-Middlesex. I believe this strong spirit—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. I can't hear the member asking the question. I would appreciate it if you would allow the member to put the question. I'm sorry for the interruption.

**Mr Johnson:** I believe this strong spirit has made my riding the best in Ontario. This spirit has also created a number of volunteer organizations that have helped countless people with their difficulties as well as to improve the area as a whole.

There have been a number of stories in the news recently that have raised concerns about the safety of volunteers and the people they serve. While I know that most volunteers have hearts of gold, a few do abuse our trust. Minister, can you tell us what steps your ministry has taken to help protect our most vulnerable citizens?

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** I thank the member for the question, and let me say that I know he's very concerned not only about his community of Listowel but the whole area he is so fortunate to represent.

The premise of the question is that we all share concerns about vulnerable people. We all share concerns about our children, our parents who are seniors, and vulnerable people within our community. We need to ensure that these people get services and are allowed to be in the community without fear of harm and without fear for their safety.

What we have done is we have tried in the ministry to make sure there's a screening process available that's not being recreated in every situation. We at the ministry have entered into a three-year initiative which prioritizes screening initiatives and puts in \$2.1 million to promote the benefits of screening to voluntary organizations. I think this will help every community across the province and ensure that volunteers and the people they take care of are well taken care of.

**Mr Johnson:** Minister—

**The Speaker:** No. I'm sorry, member; the time is up.

**Ms Marilyn Churley (Broadview-Greenwood):** On a point of order, Speaker: In view of the fact that it appears the government is trying to get out of here tonight—we will do everything we can to fight that; and no pressure on you, Speaker, just a question—I'm just wondering when you might be ruling on my point of privilege.

**The Speaker:** I won't be able to give you a time. I will attempt to do it as fast as I can, as I usually do.

1530

## PETITIONS

### BRONTE CREEK PROVINCIAL PARK

**Mr David Ramsay (Timiskaming-Cochrane):** Mr Speaker, I have a petition here that I know will be of particular interest to you as it's signed by over 5,000 people about a project in Oakville, by many of your constituents.

"To the Ontario Legislative Assembly:

"With respect to proposed current and future development of Bronte Creek Provincial Park as outlined in the Bronte Creek management plan dated March 27, 1998, we, the undersigned, petition the Legislative Assembly as follows:

"That the planning and development of the eastern portion of Bronte Creek Provincial Park that calls for establishment and construction of 400 campsites be terminated immediately;

"That any current and future development planned for Bronte Creek Provincial Park be strictly limited to the western portion of the park where an infrastructure already exists;

"That the eastern portion of the park and the Bronte Creek Valley be protected from any and all future development of any kind whatsoever and be maintained in posterity as a wholly natural parcel of land."

I affix my signature to this.

### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Ms Marilyn Churley (Broadview-Greenwood):** I have a petition which reads:

"To the Legislative Assembly of Ontario:

"Whereas the first Environmental Commissioner appointed under the NDP's Environmental Bill of Rights, Eva Ligeti, courageously documented the Harris government's attack on environmental protection in Ontario; and

"Whereas the Harris government refused to reappoint Ms Ligeti, instead choosing a close political ally of the Premier to fill the position; and

"Whereas Ontario needs the Environmental Commissioner to serve as a tenacious watchdog on the government; and

"Whereas the former Conservative riding association president in the Premier's riding accepted thousands of dollars in political donations when he ran for the Mike Harris Tories from Falconbridge Ltd, Mallette Lumber, Timmins Forest Products, Abitibi-Price, Millson Forestry Service, Columbia Forest Products, Grant Lumber, Erocon Waste Management, Timmins Logging Inc, Westland Logging and Gaetan Levesque Logging; and

"Whereas, given the candidate's strong personal ties to the Premier of Ontario, the candidate cannot be trusted to protect Ontario's environment;

"We, the undersigned, call on the Legislative Assembly of Ontario to reject the nomination of Gord Miller as Environmental Commissioner, and to choose instead a highly qualified candidate with no political ties to the current government."

I proudly affix my signature to this petition.

**The Acting Speaker (Mr Tony Martin):** Further petitions. The member for Durham.

#### AGRICULTURE INDUSTRY

**Mr John O'Toole (Durham):** It's my privilege to present a petition on behalf of the agricultural community of my riding of Durham.

"To the Legislative Assembly of Ontario:

"Whereas the agriculture industry in the regional municipality of Durham and in the province of Ontario is a major contributor to the economy; and

"Whereas fertile agricultural land is a non-renewable resource that, as it is taken out of production and paved over, is lost as an attribute to society forever;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That in regard to the proposed routing of Highway 407 east of Brock Road to Highways 115/35 the current study area not be closed, that a straight-line approach be considered, that the least impact on fertile agricultural land be considered equally with other properties and that the utilization of exhausted aggregate areas be considered in the routing."

I'm pleased to support this and will bring it directly to the attention of the Minister of Agriculture and the Minister of Transportation.

#### FOREST ACCESS ROUTES

**Mr Rick Bartolucci (Sudbury):** This petition is to the Legislative Assembly of Ontario:

"Whereas the forest access road commonly known as MacKelcan Road in the region of Sudbury is slated for closure by the Ministry of Natural Resources; and

"Whereas in the case of a major forest fire, MacKelcan Road currently serves as the only escape route for some 160 cottage owners and permanent residents located southeast of Wahnapiatae Lake; and

"Whereas MNR uses this access road for firefighting in a large area north and east of Wahnapiatae Lake; and

"Whereas MacKelcan Road is also used by tourist travel for the purpose of fishing, hunting, trapping, camping, sightseeing, as well as a canoe route access; and

"Whereas MNR proposes to close this access road as a tradeoff for the construction of a bridge leading to another forest access route; and

"Whereas we are vehemently opposed to the proposed closure of this road because we feel it will negatively impact our way of life as well as our safety;

"Therefore, be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario to ensure that the government does not close MacKelcan Road and that it take immediate action to enter into discussions with the residents involved in order to ensure this road is kept open."

This petition is signed by 1,453 people, and I affix my name to it.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Ms Shelley Martel (Nickel Belt):** I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the first Environmental Commissioner appointed under the NDP's Environmental Bill of Rights, Eva Ligeti, courageously documented the Harris government's attack on environmental protection in Ontario; and

"Whereas the Harris government refused to reappoint Ms Ligeti, instead choosing a close political ally of the Premier to fill the position; and

"Whereas Ontario needs the Environmental Commissioner to serve as a tenacious watchdog on the government; and

"Whereas the former Conservative riding association president in the Premier's riding accepted thousands of dollars in political donations when he ran for the Mike Harris Tories from Falconbridge Ltd, Mallette Lumber, Timmins Forest Products, Abitibi-Price, Millson Forestry Service, Columbia Forest Products, Grant Lumber, Erocon Waste Management, Timmins Logging Inc, Westland Logging and Gaetan Levesque Logging; and

"Whereas, given the candidate's strong personal ties to the Premier of Ontario, the candidate cannot be trusted to protect Ontario's environment;

"We, the undersigned, call on the Legislative Assembly of Ontario to reject the nomination of Gord Miller as Environmental Commissioner, and to choose instead a highly qualified candidate with no political ties to the current government."

I would agree with the petitioners. I've affixed my signature to this.

#### KARLA HOMOLKA

**Ms Marilyn Mushinski (Scarborough Centre):** This is a continuation of the petition that I have been submitting to the Legislative Assembly for the last few weeks, and it deals with Karla Homolka:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and



"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and"—

*Interjection.*

**Ms Mushinski:** It is not a laughing matter.

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm pleased to sign my signature to this petition.

#### MATERS MORTGAGES

**Mr James J. Bradley (St Catharines):** My petition reads as follows:

"Whereas *Maters Mortgages* investors have battled for a decade to receive compensation for their losses, which were incurred as a result of overzealous action on the part of an official in the Ministry of Financial Institutions, as was proven recently in a parallel criminal case;

"Whereas *Maters Mortgages* investors believe that their civil action against the government of Ontario has been unduly and unnecessarily delayed in the courts by legal representatives acting for the government of Ontario;

"Whereas the new investors' committee of *Maters Mortgages* has requested that legal representatives of the government of Ontario meet with legal representatives of *Maters Mortgages* investors to discuss the possibility of reaching an out-of-court settlement of the investors' civil case against the Ontario government;

"Whereas many *Maters Mortgages* investors are senior citizens who placed their life savings in these investments and have suffered from extreme stress and financial hardship and continue to do so;

"We, the undersigned, petition the Legislative Assembly to encourage the government of Ontario to take immediate action to appoint a case manager to expedite the case involving the class civil action of the representatives of *Maters Mortgages* investors against the government of Ontario.

"Further, we petition the Legislative Assembly to urge the government of Ontario to engage immediately in serious discussions with legal representatives of *Maters Mortgages* investors with a view to reaching a fair out-of-court settlement with the investors and urge the government to instruct its legal representatives to cease any and

all legal activity designed to prolong the duration of the case."

I affix my signature as I'm in agreement with the petition.

1540

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I have further petitions from the United Auto Workers, sent to me by Cathy Walker, their director of occupational health and safety, signed by hundreds of auto workers from London, St Thomas, Hamilton, Strathroy. The petition reads as follows:

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances (carcinogens); and

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore, we the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

My colleagues in the NDP caucus and I continue to support these petitioners.

#### MARRIAGE

**Mr Toby Barrett (Haldimand-Norfolk-Brant):** This petition is sponsored by the Canada Family Action Coalition and signed by residents in my riding from Hagersville, Cayuga, Caledonia and Jarvis.

"Whereas the majority of Canadians believe that fundamental matters of social policy should be decided by elected members of Parliament and the legislatures, and not the unelected judiciary; and

"Whereas the Supreme Court of Canada in the *M. and H.* case has rejected biology, tradition and societal norms to redefine the term 'spouse' to include the non-procreative partnerships of homosexual couples, and has effectively granted these relationships 'equivalent-to-married' status; and

"Whereas the court's decision will devalue the institution of marriage, and it is the duty of the Legislature to ensure that marriage, as it has always been known and understood, be preserved and protected;

"We, the undersigned, petition the Legislature to use all possible legislative and administrative measures, including invoking section 33 of the charter (the 'notwithstanding clause'), to preserve and protect the commonly understood, exclusive definitions of 'spouse,' 'marriage' and 'family' in all areas of provincial law."

I affix my signature to this petition.

### MEDICAL LABORATORIES

**Mr Monte Kwinter (York Centre):** I have a petition to the Parliament of Ontario.

"Whereas the Ontario government has recently imposed a retroactive cap on revenue earned by medical laboratories for services provided under the health insurance plan; and

"Whereas the Ontario government has also required these businesses to refund revenue for services rendered in previous years where the amount of that amount revenue exceeds the retroactively imposed cap for those years; and

"Whereas this legislation amounts to expropriation of economic rights without adequate compensation or due process of law; and

"Whereas the greatest incentive to the provision of efficient and quality services and products by the private sector is competition and the ability to make a profit; and

"Whereas the removal of these incentives by government negatively affects all of society and particularly patients in need; and

"Whereas this type of legislation also unfairly discriminates against one sector of society;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That adequate protection of property rights is needed to ensure that government cannot erode the property rights of certain sectors of society without fair compensation and due process of law."

I have affixed my signature to it.

### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Mr David Christopherson (Hamilton West):** I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas the first Environmental Commissioner appointed under the NDP's Environmental Bill of Rights, Eva Ligeti, courageously documented the Harris government's attack on environmental protection in Ontario; and

"Whereas the Harris government refused to reappoint Ms Ligeti, instead choosing a close political ally of the Premier to fill the position; and

"Whereas Ontario needs the Environmental Commissioner to serve as a tenacious watchdog on the government; and

"Whereas the former Conservative riding association president in the Premier's riding accepted thousands of dollars in political donations when he ran for the Mike Harris Tories from Falconbridge Ltd, Mallette Lumber, Timmins Forest Products, Abitibi-Price, Millson Forestry Service, Columbia Forest Products, Grant Lumber, Erocon Waste Management, Timmins Logging Inc, Westland Logging, and Gaetan Levesque Logging; and

"Whereas given the candidate's strong personal ties to the Premier of Ontario, the candidate cannot be trusted to protect Ontario's environment;

"Therefore we, the undersigned, call on the Legislative Assembly of Ontario to reject the nomination of Gord Miller as Environmental Commissioner, and to choose instead a highly qualified candidate with no political ties to the current government."

I add my name to those petitioners who signed here.

**Mr Michael A. Brown (Algoma-Manitoulin):** On a point of order, Mr Speaker: I need your advice. On Friday I received 400 millennium books at the Espanola High School. In doing so, the students presented me with a petition that cannot be certified. The reason it can't be certified is that it doesn't list their addresses in Espanola. I was wondering if I could have unanimous consent of the House to read this very short uncertified petition.

**The Acting Speaker (Mr Tony Martin):** Is there unanimous consent? Sorry, there's no unanimous consent.

### ORDERS OF THE DAY

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I move that an humble address be presented to the Lieutenant Governor in Council as follows:

"To the Lieutenant Governor in Council:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Gord Miller as the Environmental Commissioner for the province of Ontario as provided in section 49 of the Environmental Bill of Rights Act, to hold office under the terms and conditions of the said act, and that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker."

I want to share my time with Mr Chudleigh, Mr Dunlop, Mrs Munro and Mr Ouellette.

It's unfortunate that we were not able to get all-party agreement with regard to the appointment of this fine individual, a very talented man who has a great deal of experience to become the Environmental Commissioner



of Ontario. We went through a very public process, as was promised last August, when Ms Ligeti's appointment—which was extended by three months during the election period—came to an end.

The Environmental Commissioner is appointed for a term of five years under the legislation. As we know, the first Environmental Commissioner's term came to an end, and we now have a new commissioner. In fact, when you look at the appointments of various commissioners, there are very few, if any, who have gone longer than the initial appointment. I think this is true of the Ombudsman, of the Information and Privacy Commissioner, and now is true with regard to the Environmental Commissioner. No one can say, as I heard from opposition benches—who have tried to politicize this process from day one—that Ms Ligeti was fired. She was not fired. As was pointed out to her in a radio talk show which I listened to, her term came to an end. It was not the desire of the Legislative Assembly to reappoint her. That was not what the committee decided.

We committed ourselves to an open process, a process which included an advertisement in many of the major dailies asking for nominations, for people from across this province to put forward their names. We had a motion in this Legislature to refer this matter to the general government committee of this Legislature. That general government committee considered the various candidates and came back to us with the name of Mr Miller.

I have had the opportunity since that time to review Mr Miller's curriculum vitae. I want to point out to you that one of the great and thrilling parts of Mr Miller's candidacy as the Environmental Commissioner is the fact that he is not a lawyer. I, as you perhaps know, have both a scientific and a legal background. It has always been my feeling that the Environmental Commissioner need not be a lawyer, need not be involved in or thinking only about process and whether there are enough hearings there or whether there is enough process here or whatever.

1550

I think we are going to be very pleased with Mr Miller, because he is a scientist and took a degree I believe in ecology, and therefore is going to have very valuable advice for the Minister of the Environment as to what his and the government's priorities should be with regard to actions taken by the Ministry of the Environment.

It's very easy to say to the Minister of the Environment, for instance, "Do all of these things: Fix this, fix that, fix this, fix that." Of course, fixing everything would take up all of the budget of the government of Ontario, not just a small part of it. We have other priorities as well. We have tried in the government to prioritize our expenditures so that you get the greatest impact. The part that I am most encouraged with in regard to appointing a person of science is that he will be able to direct his staff in what are the first priorities or what should be the first priorities for the government of Ontario: Should they be dealing with toxins and furans in

the air? Should they be dealing with acid rain? Should they be dealing with returned deposit bottles? Should they be dealing with recycling, composting or whatever? What we really need is an Environmental Commissioner—I hope that Mr Miller, because of his scientific background, will be able to try to provide some guidance and help in terms of the Minister of the Environment in formulating the strategy as to where the resources, both money and people, should go.

I'm sure that those who participated in the general government committee, which chose this individual, will go deeper into the process. I want to make it clear that our party intends to talk about the process. We will not talk about individuals who were not chosen by the committee, but we will talk about the process that we went through. We believe that it was a very fair process, that everyone who submitted a resumé to the human resources department of this Legislature was given an equal opportunity and that the committee acted in concert, in a rational and logical way, to choose those who they thought were qualified to have interviews, and that those interviews were undertaken in an even-handed manner with all the candidates.

I am disappointed that the opposition parties have made this a political issue. They have made this a political issue. Mr Miller freely admitted, when asked a question on his very first interview, whether he had party affiliation, and he said, "Yes, I do." He told the committee what that party affiliation was about and was most forthright in putting that forward. Notwithstanding that, the committee decided to call him back for a second interview and the committee has decided that he stood above all of the rest in terms of his qualifications to do this job.

It is difficult because we would like, in terms of this legislative chamber, to have unanimity when it comes to appointments. I remember when the former Environmental Commissioner was appointed. Quite frankly, our party had some uneasiness with that appointment at the time, but notwithstanding that uneasiness, we said: "It is better for us to give Ms Ligeti the opportunity to become the Environmental Commissioner. We believe her word, that she will act according to the act and in the best interests of the people of Ontario."

Unfortunately, in this legislative chamber recently we have seen extreme partisanship. Yesterday in this House we had a bill for the University of Ottawa Heart Institute in front of this Legislature, all parties agreeing to it, but when it came to voting in this Legislature on that bill, the opposition divided and wanted to vote on that particular bill, a tactic which, quite frankly, escapes me. I don't understand why they would bring forward a tactic like that with a bill of the Ottawa Heart Institute, led by the Liberal Party, when Mr Conway, the member for Renfrew-Nipissing-Pembroke, spoke in very glowing terms in favour of that bill.

I draw that to your attention, Mr Speaker, because of the extreme partisanship of the opposition. The opposition would not be pleased with the appointment of any

Environmental Commissioner save and except if they picked one of their own, if they picked somebody who was a member of the NDP or the Liberal Party. That's what in fact they want. They didn't want to go—

**Mr John Gerretsen (Kingston and the Islands):** On a point of order, Mr Speaker: I think it's highly inappropriate for the government House leader to accuse the opposition of the tactics that they themselves are employing in getting the Environmental Commissioner—

**The Acting Speaker (Mr Tony Martin):** That's not a point of order. The government House leader.

**Hon Mr Sterling:** Thank you very much, Mr Speaker. You know, they really hurt when they're caught in a situation where they want to pretend that they're in favour of certain things like a larger city of Ottawa and they get a choice in a bill and the bill includes a number of things, and they say: "I can't vote for this bill because I don't like one out of 20 things in the bill. Therefore I'm voting no." That is what we have seen in this Legislature, and we have seen the partisanship on the part of both of the opposition parties to extremes. I want to say, as I did sit in opposition prior to 1995, during the period from 1985 to 1990, one of the great things about the leadership of Mike Harris and the Conservative caucus during that period of time was that we saw the forest and weren't blinded by the trees. Unfortunately, the opposition parties have not seen that, because they would have a great deal more credibility in this debate on the Environmental Commission if they had in fact supported the government on some of its legislative endeavours.

I'll tell you another thing. For instance, the police pursuits bill, which was passed last night in this Legislature, when it came to second reading—everybody in this Legislature, I believe, was in favour of the police pursuits bill. But what did they do when it came to second reading? The third party, the NDP, sent it out to a committee. Mr Speaker, I think you were involved in that particular committee. But when it got to the committee it lasted for five minutes, or 20 minutes or whatever it was, because nobody knew what to do in committee.

#### *Interjections.*

**Hon Mr Sterling:** The government didn't see any need to go to the committee. There were no amendments put forward in the committee. What happened when we got back in the Legislature and listened to the debate last night and yesterday afternoon is that we heard from the NDP that they did in fact have amendments but they didn't bring them to committee. Then they complain when they get back here that we didn't accept some kind of amendments to the police pursuits bill.

What I'm trying to point out by this is that I have seen over the last week, week and a half, and perhaps it goes back even earlier, the extreme partisanship on behalf of both of the opposition parties. I think it's a reflection on the opposition parties that they have not even tried to support this particular appointment.

When the Leader of the Opposition, Mr McGuinty, stands up in this Legislature and effectively says that Mr Miller, who has an excellent resumé, has an excellent

background in the environment, is nothing more than a lapdog, I think that's scandalous. It's scandalous that he would—

#### *Interjection.*

1600

**Hon Mr Sterling:** I hear Ms Martel saying the same thing, and I guess that reflects the attitude which the opposition bring to this very, very important place, the Legislature of Ontario.

We would like to see Mr Miller have an opportunity to really make the Environmental Commissioner and its position—

**Mr Peter Kormos (Niagara Centre):** Norm, you don't know what you're talking about. Two amendments were moved in that committee. Your government defeated both of them. Get your facts straight.

**The Acting Speaker:** The member for Niagara Centre knows that that's out of order, that you're only allowed to heckle from your seat.

**Hon Frank Klees (Minister without Portfolio):** On a point of order, Mr Speaker: I really would implore you to take much more serious action with the member who approached the speaker, the member who was in the middle of his speech. That kind of behaviour in this place should not be tolerated. I think simply to ask him to go back to his seat in no way is appropriate. I really implore you, on behalf of all of the members of this House, to take the appropriate action.

**Mr Brad Clark (Stoney Creek):** On the same point of order, Mr Speaker: The member should withdraw the comment. He shouted out right across the floor that it was a lie. Moreover, he approached the dais. It was an egregious error, and you shouldn't tolerate it. Mr Speaker, I urge you to take control of the House and sanction the member.

**The Acting Speaker:** I would ask the member, please, not to do that again and to stand corrected on having done that—it is not appropriate behaviour—and to withdraw the statement you made about the government lying. Would you do that? Will you withdraw the statement about the government?

**Mr Kormos:** Withdraw.

**The Acting Speaker:** Withdrawn.

**Mr Kormos:** On a point of order, Mr Speaker: The government House leader misstates the facts in a most obvious way when he suggests that no amendments were moved. He misstates the facts when he suggests that the committee meeting lasted only five minutes. He knows full well why a committee meeting was called for. His Solicitor General co-operated with it. He ought to get his facts straight before—

**The Acting Speaker:** The member knows that accusing a member of the House of misstating the facts is the same as saying that he lied. I would ask you to withdraw that, please.

**Mr Kormos:** Withdraw.

**The Acting Speaker:** Withdrawn.

**Hon Mr Sterling:** Thank you very much, Mr Speaker. I do want to say to the member opposite, notwithstanding



his outrageous behaviour here this afternoon in the legislative chamber, coming across the chamber, which you know, Mr Speaker, does not lead to the best of relationships in here, that the fact of the matter is that I did confuse the police pursuits bill and the red tape bill, and I apologize to the member and the members of the Legislature. That was not the case with regard to the police pursuits bill. There were amendments, and I was wrong in that regard.

I will say, with regard to the red tape bill, which again was a bill—

*Interjections.*

**Hon Mr Sterling:** I will say that the example still stands with regard to the partisanship of the third party.

With regard to the red tape bill, the third party insisted that we send it out to committee. When it got to committee, the third party had no amendments, they had no witnesses—

**Mr Gerretsen:** Mr Speaker, on a point of order: I wonder if the government House leader can relate this to the nomination of the Environmental Commissioner, which is extremely important to the province of Ontario. Everything he has been talking about has nothing to do with this most important—

**The Acting Speaker:** That's not a point of order.

Government House leader.

**Hon Mr Sterling:** There was an opportunity for debate on the red tape bill in committee, but there was no opportunity taken.

*Interjection.*

**The Acting Speaker:** Member for Nickel Belt.

*Interjection.*

**The Acting Speaker:** Does the member from Nickel Belt have a point of order to place?

**Ms Shelley Martel (Nickel Belt):** Mr Speaker, if I might, the point of order is this: The minister has made an allegation that no amendments were put, and if he would care to look at the time allocation motion that he placed on behalf of his government, he will see that it was made very clear that at the moment the committee sat, all the questions were put; there was no debate and that was the end of it. The committee sat for five minutes because your time allocation motion did not allow for any amendments to be put. If you had the decency to stand in your place and tell that—that's exactly what happened.

**The Acting Speaker:** That's not a point of order.

Government House leader.

**Hon Mr Sterling:** I'm sorry the member opposite doesn't have it exactly correct. Notwithstanding that, considering the reaction with regard to these comments, it shows you, with regard to that matter, that the members had the right to vote on every amendment through all of the bill in that committee—they chose not to—and to put their position forward with regard to each of the amendments—

**Ms Marilyn Churley (Broadview-Greenwood):** They were all put at once.

**Hon Mr Sterling:** That was not necessary. You had the opportunity to do that.

**Mr Kormos:** Tell the truth, Norm.

**The Acting Speaker:** The member for Niagara Centre knows that's out of order. Would you withdraw, please.

**Mr Kormos:** Certainly. I withdraw my call to the House leader to tell the truth.

**Hon Mr Sterling:** Mr Speaker, I don't know how many times you call a person to order before you deal with it, but we'd appreciate the opportunity to speak.

As you can see, of course, the House has become very polarized with regard to this issue. We believe the process we've gone through with regard to the appointment of the Environmental Commissioner has been more public and more open than any of the processes before. For instance, when the first Information and Privacy Commissioner was chosen, it was the Attorney General who phoned up Sid Linden, who knew Mr Scott, and he was appointed by order in council of the government of Ontario at that point in time. There was no public process at that time.

We have attempted in the cases of both the Ombudsman and the Environmental Commissioner to have an opportunity for anyone in this province to apply. The committee heard all the qualifications, and I believe the committee has done its work. It is our duty, in my view, for all of the Legislature to support what the committee has done, because the committee has had the time, has taken the effort to examine each and every candidate, and they have come forward with, I believe, an excellent candidate, Gord Miller. I will be supporting his appointment as the Environmental Commissioner of Ontario. I know Mr Miller will do a good job regardless of the support of the opposition here today, but I do hope they will listen to the debate and change their minds as the vote comes close.

1610

**Mr Ted Chudleigh (Halton):** It's a dubious honour to stand here in the House today. There certainly seems to be a lack of Christmas spirit permeating the room at this time, but maybe that'll change.

I believe the appointment of the Environmental Commissioner has been a very fair process and one which has culminated in the selection of an outstanding individual for the job.

The search for the Environmental Commissioner brought in 71 applications from across this province and in fact one from outside this province. The applicants, under the regulations and rules of the place, could come from four different areas. They could come from any of the three parties—the government, Her Majesty's official Opposition or the third party—to arrive on the desk of human resource services. The fourth way is that they could have arrived independently by being submitted directly to the human resource services of the Legislative Assembly. In fact, all 71 of the applications that were received for the Environmental Commissioner came through that fourth method; that is, no political party in

this House put forward any name for the position. They all came through that independent source.

I would like to thank Marilyn Abraham of human resource services for her excellent work and the professionalism she used in sorting and handling those resumés. She was accurate, she was dedicated and she was extremely thorough. I want to note that for the record and thank her for her dedication through this process.

Human resource services independently reviewed all the applications and rated them according to the advertised requirements of the position. The ad, which was circulated throughout Ontario in daily newspapers, invited residents of Ontario to apply for the position of Environmental Commissioner and pointed out: As an officer of the assembly, the commissioner will review the implementation of the Environmental Bill of Rights and compliance in ministries; at the request of ministries, it will provide guidance to ministries on how to comply with the requirements of the act; it will assist ministries in providing educational programs about the act; it will review the receipt, the handling and the disposition of applications for review by Ontario residents of environmental policies and regulations made by various ministries; and it will report annually to the Legislative Assembly on the commission's activities.

The applications that came in were then forwarded to the standing committee on general government, where they were reviewed. They were reviewed in camera, and I think we should examine why that took place in camera. Was it done in camera in order to cloak our operations? No, I don't believe it was. Was it done in camera to get the process hidden, to keep it out of the public eye? No, I don't believe it was. I believe we met in camera solely to protect the names, the privacy and the reputation of the applicants for this position. I believe it was eminently reasonable.

Some might say that the opposition used this vacuum of information to change what was happening, to flip-flop on some of the decisions that were made within the party. Some members were pleased with the progress of the process—I wasn't referring to the member for Broadview-Greenwood in that particular comment—while some members weren't too pleased with the process, but we all agreed to the process up until the final day.

We reviewed all the applicants, and I think it's important to note that in the independent process conducted by human resource services the successful candidate finished in the top four from among the 71 applicants. That process was a non-partisan process, completely non-partisan. Human resource services reviewed all the resumés without input from the committee. The top positions were invited back for a second interview. After that first interview, our candidate, Mr Miller, had broad support from the committee.

Why did our successful candidate receive these top marks from human resource services? In the education process, Mr Miller has a master's of plant biology from the University of Guelph, which this fall was rated the number one university in Canada by the Maclean's poll,

not just in all of Ontario but the number one university in all of Canada, truly a great university. Mr Miller graduated from that university some many years ago. Along with his university degree and master's degree, he also has over 20 years of extensive experience in environmental awareness and action. He is a scientist with a master's in ecology and has extensive experience in both academia and in an environmental management capacity in the private and public sectors. It is a very broad range of experiences that this individual has.

Mr Miller has proven himself to be an advocate for environmental protection and has lectured extensively on many environmental issues at conferences and post-secondary institutions. He is a member of numerous conservation associations and naturalist clubs. Mr Miller's strong views on environmental issues will provide Ontario with an Environmental Commissioner who will stand up for the environment regardless of the party in power.

Perhaps we should review just briefly what the job of the Environmental Commissioner is. The commissioner is required to review the implementation of the Environmental Assessment Act and the Environmental Bill of Rights to see that the ministries of the government are in compliance with that act. He is to provide guidance to these ministries on how to comply with this act. In other words, he's to take on an educational aspect to ensure that the ministries understand what their responsibilities under the Environmental Bill of Rights are. He is to review the application of the act by the ministries whenever they take action in an environmental sense. The Environmental Commissioner is to review that action to ensure that the action is sustainable under the Environmental Bill of Rights. He also has responsibilities to educate the public on the use of the environmental registry and also to educate the public on their rights under the Environmental Bill of Rights.

In review, people interested in applying for the post were asked to respond to a newspaper ad that was placed throughout the province. There were no applications put forward by any party; each caucus, which had the opportunity to put forward a name, did not do so. The three House leaders then referred this appointment process to the standing committee on general government. This is the same process that was followed with the appointment of the previous Environmental Commissioner in 1994. The selection of the Environmental Commissioner was then sent to the committee, and at the same time the selection of the Ombudsman was referred to the Legislative Assembly committee. Both these committees followed the same fair process to select the best candidate for each of these two very important jobs.

Surely the Legislature doesn't believe that public involvement in politics should disqualify people from applying for jobs that they are more than qualified to perform.

**Interjection:** It didn't in the past.

**Mr Chudleigh:** No, it certainly didn't in the past. In fact, there is a record of a number of people who have



served in this House or served in a political area and then gone on to further public service through appointment. One of them that comes to mind is Andy Brandt, the chairman of the LCBO. He was a rather interesting appointment in that he was the former leader of this party, the Progressive Conservative Party of Ontario; he was appointed by Premier Bob Rae in 1990, shortly after their election on September 5, 1990, and he was appointed through the recommendation of the Liberal Party. Obviously, there's a political individual who was appointed to an important and sensitive position, and all three parties were involved in that appointment.

1620

The candidate selected did extremely well during both the interview processes. His qualifications were phenomenal and his experience in the environmental field extensive.

It is possible to have a commissioner with a political past under the Environmental Bill of Rights legislation. All environmental commissioners must take an oath to faithfully and impartially exercise the functions of his or her duties. I'm sure that Gordon Miller will fulfill his duties to this Legislature and to the people of Ontario in an admirable way and that we will be proud of this appointment in the future.

**Mr Garfield Dunlop (Simcoe North):** I rise today to take part in the debate on the selection of the Environmental Commissioner for the province. A few weeks ago I had the privilege of being appointed to the standing committee on general government under the chairmanship of Mrs Mushinski, the member for Scarborough Centre. I'd like to spend my time this afternoon discussing my past experience in selecting candidates and to explain the process we followed over the last few weeks.

As a new member of the Legislature and to any committee here, I was honoured to be able to take part in the selection process to determine who would be the new Environmental Commissioner for our province. I was particularly pleased to be included in this process because in my years in municipal politics I had been on the selection committee for a number of positions over the years, and I can say that in almost all the cases I had a really good feeling, as I do in this case, about our choices. They all turned out to be excellent employees for the municipalities that I've been involved with over the last 18 years.

My first selection—and I go back a little bit—in 1984 was the position of clerk of the small village of Coldwater. I picked a young guy at that time who was looking for an opportunity and he turned out to do very well. I had a gut feeling when we were making that decision and in the end he proved to be a very wise choice. He worked for the municipality for a number of years and today is a valuable contract employee with the Ministry of Natural Resources.

I later had the opportunity of selecting a treasurer for the village. This one didn't work out as well. He met the lady minister in the village of Coldwater and they moved

to another parish, but he was a valuable employee while he was there.

Also during the period between 1984 and 1986, I had the privilege of sitting on the selection committee for the county of Simcoe district health unit. We had a lot of choices there for a medical officer of health as well as a director of administrative responsibilities. Both of these employees also turned out to be valuable members of the health unit for many years and in fact are still there today.

In the mid-1990s I sat as a member of the Simcoe county council, and in a transition period for the county I was able to help choose a chief administrative officer, a treasurer and a director of social services and childcare for the county. These people are responsible for a staff of over 900 people and they have a budget in excess of \$225 million. They are still valuable employees today of the county of Simcoe, and under their leadership the county has been able to very smoothly assume the new responsibilities required under the local services realignment we've been dealing with the province on.

Particularly, as a member of the committee, I remember trying to choose a treasurer. It just shows you the kind of trouble you can have in selecting candidates. After reviewing dozens of resumé and interviewing 10 or 15 people, we decided we were not pleased at all with any of the applicants, and that time we went back and had a second round of advertisements and finally came up with the successful treasurer who is there today. Mr Henry Sander of the county of Simcoe is considered one of the top treasurers in the province, and under his leadership he has helped more than 16 municipalities in the largest county in Ontario accept the responsibilities of budgeting and assessment that they're responsible for today.

Throughout my years in government I have been very satisfied that I have been able to select employees—I mentioned that a couple of times in the general government committee—who have become key people in their organizations. I can safely say that I have never been unhappy with any selection of a candidate in my years on selection committees.

When we started the process to select an Environmental Commissioner, certain moves had already been completed. For example, the human resources people had used existing criteria and had already advertised for the job. I got a copy of the advertisement that ran in the *Globe and Mail* for several days in September of this year, which stipulated that individuals submit their resumé by October 6 of this year. I must also assume that they were placed the same way as the Ombudsman position which was handled by the Legislative Assembly committee. I give credit to human resources. At all times, as Mr Chudleigh mentioned, they had a person attend the closed session committee meetings. They were very valuable to the process.

At the first meeting the human resources person informed the committee that they had received 71 applications or resumé for that position. I should point out to

you, just so everyone knows and is familiar, that the committee is made up of four Conservative government members, two Liberals and one NDP, as well as the Chairman, from Scarborough.

I believe that in all the meetings to select an Environmental Commissioner, only at one meeting did the Liberals have both of their members present. I could be wrong on that but I believe there was only one meeting where they had both members present.

*Interjection.*

**Mr Dunlop:** Am I wrong? They were present for two meetings.

The human resources people had used a scoring system based on the resumés and had graded all the applicants on a scale of 1 to 71. At this point we had not seen any of the resumés or how anyone had been graded. We started the process by asking human resources to supply us with what they considered to be the top 25 resumés and their scaling of the top 25. Again I give credit to human resources for their speedy supply of information to the members of this committee. They photocopied literally thousands of pages of information for us. I can tell you at this time that the name of Gordon Miller was in the top five as they were graded by human resources on the first round.

The committee reviewed the top 25. However, members of the committee felt we should also consider the remaining resumés. We asked human resources to consider some additional information, such as communication style, and again human resources supplied the committee with all the resumés and regraded all the applicants on a scale of 1 to 71 again. I can tell you that human resources still had graded Mr Gordon Miller in the top five.

The committee then had to consider how many people we would interview and if we would or would not have a second interview. After a lot of deliberation, the committee decided unanimously to interview the top 12 candidates and that, yes, we would hold a second interview. However, we did not determine how many people we would have for the second interview at this time. I can tell you that the resumés we received from the top 12 candidates were very impressive.

Our next step was to list the questions we would ask in rotating order. I believe we set up an order for each interview. Basically it was three or four minutes for the introduction by the candidate to the committee. We had done five questions in rotating order by committee members. Third, the candidate would summarize his time and make his final response. The total time would be approximately 30 minutes for each candidate to spend with the committee.

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The committee then set up the schedule for the interviews through the human resources department. Two of the people we had planned on interviewing could not attend. They were either away or had found employment in other areas. At this point, as a committee, I believe we were unanimous in the process. We then proceeded to the actual first interview and we interviewed 10 very capable

people, and I really believe everyone had good points that we discussed. Six people of the committee took part in the interview, and one of the Liberal members was absent at that point. When we were completing the first interview we graded the applicants on how they performed. At this point the name of Gordon Miller was in first place. It was not unanimous but very close to it.

It was very obvious from my point of view that Gordon Miller was a very top contender for this position. That said, we agreed as a group to unanimously support the need for a second interview.

It was agreed that we would interview four applicants on the second interview. We proceeded to the second interview. This time we submitted some additional questions. We all agreed on the questions that had to be asked. Again we did the questions on a rotating basis. Some of the questions we asked dealt with situation cases where we expected to hear some feedback on how the applicants would actually deal with certain situations.

The second interviews went very well. I might point out that we were short the Liberal member who had been present for the first round, and after the second interview I felt that the person who would best fill the position of Environmental Commissioner of Ontario was Gordon Miller. I still feel that way today. I have a gut feeling that this guy is really good for the job.

I understand Mr Miller ran for political office. Surely the Legislature doesn't believe that public involvement in politics should disqualify people from applying for jobs that they're more than qualified to perform.

We followed the same process this House followed in 1994. I thank human resources for their efforts. I thank the Chairman for her work. I thank all those who applied from right across this province, and in fact out of province as well. I thank the committee members and I really hope today that this assembly will support the appointment of Gordon Miller as Environmental Commissioner of Ontario.

**Mrs Julia Munro (York North):** It's certainly a pleasure for me to rise and talk about something that has been going on in committee throughout the past few weeks. It was very clear in the last government, that is, in 1994, that there was the need for an Environmental Commissioner and I think it's important for us to recognize that the first Environmental Commissioner was brought in in May 1994.

I think it's important for everyone to understand the importance of the Environmental Commissioner. This came through the piece of legislation, the Environment Bill of Rights. Here there are a couple of key ideas that I think have importance when we look at the current issue we are debating.

This individual was to be accountable to the assembly. There are a number of things the commissioner is responsible for, and in section 57 of the act it refers to the fact that they must "review the implementation of this act and compliance in ministries with the requirements of this act."



They're also able to "at the request of the minister provide guidance to the ministry on how to comply with the requirements of this act, including guidance on ... how to develop a ministry statement of environmental values," and also "how to ensure that the ministry statement of environmental values is considered whenever decisions that might significantly affect the environment are made in the ministry."

Clause (d) provides a role in the area of public education, "programs about this act to the public," and it also is to "provide advice and assistance to members of the public who wish to participate in decision-making about a proposal as provided in this act."

These few points highlight the kind of requirements the act provides. It was the responsibility then of the general government committee, through the work done previously by human resources, to look at the people who had come forward. It became clear that there was an important process to be followed, and in September of this year the Ontario government did advertise throughout the province looking for applicants for this most important role. The committee began to meet in November to establish what would be the advice, the recommendation of the committee in naming an individual to take this responsibility. The committee has met for about 20 hours, and I think it's important to underline this process, because it was certainly clear from the outset that this was going to be a process that would provide us with the best candidate.

In all, 71 people from across the country applied for this position. When we first met as a committee, human resources had been able to look at each of these resumé's and, according to the criteria that had been established in the advertisement, they had ranked every applicant from 1 to 71. I think that it's important to recognize the impartiality and the expertise that was there in that opening work that was done by human resources in providing us with that kind of information. As a committee, we were then given the criteria that had been used by human resources to establish the appropriateness of that ranking. I want to give everyone a sense of the kind of analysis that was being done, because I think it served to support the recommendation that we have today.

The first one was a demonstration of a broad knowledge of environmental issues. Clearly, anyone who is going to be considered as the Environmental Commissioner must demonstrate a long-time and broad expertise in that area.

Second, I mentioned the kinds of responsibility—and it's very clear—in the legislation. It was clear that that too would be a criterion we had to consider, the knowledge of the related legislation and labour protection. Again, human resources had provided us with a guide to the expertise that each one of those 71 had.

The third area was experience in providing advice and guidance regarding compliance with legislation. From the examples I've given you from the statute, it's clear that that ability to bring about compliance would be required.

The next was experience in developing and implementing educational programs. Again, that links directly with the legislation and the specific requirements for the commissioner.

The next area that human resources looked at was demonstrated experience in developing, reviewing and implementing government policies and regulations, and the knowledge and/or experience with legal principles and practices related to evidence, witness examinations and disclosure. Because very clearly in the legislation there is that issue.

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When you look at the very detailed way that human resources had examined those 71 resumé's, it's important for people to understand that when we walked in as a committee the recommended individual, Gordon Miller, had scored by this very precise and detailed manner, as others have mentioned, in the top five. As a committee, we looked at this and felt that while we recognized that it was very prescriptive in that it matched the needs of the legislation, perhaps there were other qualities that needed to be examined as well, and so we asked human resources, in our discussions, to come up with—we came up with a second set of criteria. We worked on those as an all-party committee, we agreed on those new criteria and within a very short turnaround time the human resources people were able to provide us with a new ranking based on the criteria that we had established. I want to assure everyone that again, under this second set of criteria, Mr Miller's name was near the top.

When we came back and looked at now the two sets of criteria that human resources had established and had examined these resumé's, we made a decision, again an all-party decision, that within the top number of applicants there were probably some real strengths. We wanted to ensure that we did not miss someone. Having applied two sets of criteria—and there were many names that showed up in both of those—we felt that we had got enough information and enough assessment of these resumé's that at this point we should now be looking at individuals. So we made a decision that we would accept the top 12 names that by this combined process had been established by human resources and we would ask human resources then to organize the appearance of these top 12.

We agreed, again as an all-party committee, on the questions that we felt were important to ask the members. I think it's important to remind everybody that at this stage, and all the way through this process, there was discussion among us, there was the opportunity to have human resources respond to any concerns that we had. So we were confident throughout this process that we were following a well-defined and defensible process.

At the end of 12 interviews, it became clear to us that it would be appropriate at that point to have a short list, a second round. On the basis, then, of creating an opportunity for each member of the committee to rank those people, we asked them to rank their top choices. With that process, we then reduced our list to four. We again went back and worked as a committee to find the appro-

priate questions that would be the ones that we would want to ask those top four candidates. I think again the important thing here is that this was done together; it was done in this manner.

Much of the argument that has been suggested from the opposition concerns the issue of impartiality. I just want to comment in the couple of minutes that remain that from the comments I have made at this point, it should be clear that we were looking at the legislation, we were looking at the way in which the original advertisement advertised the position and we were also then taking the advice from human resources in terms of ranking the individuals who had applied.

I think that one of the areas that much of the discussion regarding impartiality has come from is the question of having appointments made where someone has a political background. I find that this is in contradiction to the historical position that on both sides of this House we have many, many examples of appointments made by all three parties, from members of all three parties. It is a clear demonstration by these earlier appointments that both sides of the House recognize the ability of someone to act in the best interest of the community on behalf of the people of Ontario. I think that the previous appointments that we have seen are a clear example of the recognition that someone can be appointed and be impartial.

I'd finally like to suggest to you that regardless of the methods used by this committee, Mr Miller appeared consistently at the top of the list. This was not something that didn't follow a process, that didn't follow some consistency.

I'd also add that anyone who puts his name forward for a public office understands that the issue of impartiality, of being objective, is part of the integrity of the individual. Anyone recognizing that they are putting their name forward for such a position understands that and clearly everyone on both sides of this House recognizes it from the previous appointments that have been made by all concerned.

So I think that when we are looking at this appointment, we have to keep in mind the process.

**The Acting Speaker (Mr Michael A. Brown):** Further debate?

**Mr James J. Bradley (St Catharines):** In my view, this is far from the government's finest hour. There are a lot of appointments that are made by a government that the opposition objects to and some people in the public object to. This is a real problem for the government. The government had a chance to really think about this and not proceed with the particular appointment.

This is a process that calls for consensus. This is an officer of the assembly. That's a big difference. Governments appoint people to various agencies, boards and commissions, and they usually appoint people who are in the same thinking pattern as the government. The opposition doesn't like it. We will make noise about that from time to time. Nevertheless, it's understood that, for instance, if the government has a certain philosophy on policing, it's going to appoint to the various police

commissions around the province people who think the way the government does or who agree with government policy and are going to implement it. I would prefer that objective people be implemented but that's a pattern which is carried out, I think, through various governments. This is different. This is an officer of the Legislature. This is somebody who exists, or should exist, only with the consensus of members of this House.

The government makes appointments, as I say, to agencies, boards and commissions. An example was TVO, the educational television network of Ontario. That came before a committee of the Legislature. Some members of the committee objected and voted against the person who was appointed. Nevertheless, the government believed that with the philosophy it wanted to implement in the educational television network, it had chosen an applicant who was going to implement that and who would have thinking which would be similar to that of the government. Again, the opposition may not have been happy with that appointment; nevertheless, that's an agency outside of the direct purview of members of the Legislative Assembly.

I want to say from the beginning as well that I think it's important that every member in this House who wishes to speak on this motion has an opportunity to do so and that we not have the guillotine ordered by the Premier of this province where a government member gets up at a time the government member considers it to be opportune to shut the debate down, because this is one of the most important debates this Legislature has had in some period of time.

I look at officers of the assembly. I made a little list of them, just five that I could think of who were officers of this assembly, who must be totally independent, who must be totally objective. The Provincial Auditor is one. We would not want a person in the position of Provincial Auditor who had run twice for a political party and had been the president of a political association. It wouldn't make sense.

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The Integrity Commissioner, the freedom of information commissioner, the Ombudsman and of course the Environmental Commissioner: What we look for are people who are without any doubt totally objective, people who are vigilant in their particular duties, people who look at problems, who look at situations with governments and are able to view them objectively and give an assessment which is objective. I don't think it's the case with the applicant who has been chosen by this government.

It was suggested from the beginning by our House leader, I believe—he will correct me if I'm wrong—and there seemed to be an agreement that one representative from each of the parties would sit on the committee to help choose the person who would be the Environmental Commissioner. What is the advantage of that? It means that every party has one person, and there would be a suggestion flowing from that. It wouldn't be a vote of two to one. It would be a consensus that was developed.



As soon as it went to a legislative committee, I must say I smelled a rat immediately. That meant we knew there were going to be four government members to three opposition members, no matter what, in terms of the vote and that the fix in effect would be in. That's most unfortunate.

Let me give you an example of where the government has made a good appointment, because I think it's important that we say that when it happens. The Ombudsman of this province was chosen. Clare Lewis has been chosen as the Ombudsman. He was the unanimous choice of the members of the committee that dealt with that issue. He has credibility with all three political parties. He has served under three different governments. He is a person whom all members of this assembly would have confidence in as a competent person—yes, it's important that they be competent—but also as an independent-minded, objective person without bias. That is what we look for in an officer of the assembly.

It would have been preferable to have one member from each caucus chosen to do the interviewing, to do the assessing and to come forward with the recommendation. I think that should have been a unanimous recommendation, not the two opposition parties, because they had a majority being able to foist on the government a person the government didn't want. You need a consensus in positions like that.

The consensus is not going to happen when you're in the government agencies committee, where people will make whatever choice they wish. I'm the Chair, I'm objective, so I cannot offer opinions from that committee. But we have a certain expectation, when governments make an appointment to various agencies, boards and commissions, that it's very likely that members on the government side, wherever they happen to sit, are going to be probably supportive of that particular appointment and will express an objection behind closed doors, at a caucus meeting or at a cabinet meeting. That is how it will work.

The person for this position must be seen to be completely independent, totally objective and entirely impartial. The person must have the confidence of all parties in the Legislature, not necessarily all individual members. That's difficult sometimes to have, but all parties must agree to that person, I think, for that person to be credible, for that person to be able to do his or her job in an appropriate fashion.

Remember, it is not a position to implement government policy. If it's a position to implement government policy, for instance, in the field of the environment, then one can look at a particular individual. But this is a watchdog. This is different. This is a person who is there to keep an eye on the government. Governments have great power, no matter where the jurisdiction is, federal or provincial governments, even some local governments. They require someone totally independent to be a watchdog, to be a guide for the public, to assist the public in ensuring that the government is accountable.

I cannot believe that a person who has run twice as a Progressive Conservative candidate—as a Mike Harris candidate in Cochrane South in 1995, as part of the Harris team on that occasion, as a Progressive Conservative Party candidate in the Premier's own riding of Nipissing federally in 1997—and as president of the federal Nipissing Progressive Conservative association again in the Premier's own riding, can be seen to be objective when it comes to being the watchdog for the environment.

Mr Miller may be qualified for another position. It may be that the government wishes to appoint him to another position and that the opposition, while they may again register an objection, would recognize it was simply the government appointing somebody to implement their policies. In this case it's different; it's a watchdog.

In my question to the Premier I tried not to be bombastic this afternoon or anything of that nature. I drew upon the experience that the Premier and I have had. He has been in the House 18 years and I've been in the House 22 years. We've seen some good appointments and we've seen some bad appointments. But by and large, the officers of this assembly have been seen to be—not only have been but have been seen to be—objective people.

Yes, decisions that they make from time to time are going to be ones which annoy the government, and that's to be expected when they are watchdogs. There are days when people are angry with the Provincial Auditor. There are days when they don't like what the Ombudsman has to say, or the Environmental Commissioner or the Integrity Commissioner or the commissioner for the freedom of information. There are times when we're going to find ourselves in disagreement, but the person must be a person who is seen to be totally objective. I do not believe the applicant brought forward can be totally objective.

There was a scientific background brought forward. They said that the applicant who was chosen by the government members on the committee had excellent qualifications scientifically. I can assure you that the polluters hire people with excellent qualifications scientifically. Various polluting companies or operations—they don't necessarily have to be companies—hire some very good scientific people to try to make their case before agencies, boards and commissions of the Legislature.

**The Acting Speaker:** I'm sorry to interrupt, member for St Catharines, but I must do this before 5 o'clock.

Pursuant to standing order 37(a), the member for Toronto Centre-Rosedale has given notice of his dissatisfaction with the answer to his question given by the Premier concerning job performance for individuals holding positions of responsibility.

The member for St Catharines.

**Mr Bradley:** Thank you, Mr Speaker, and I understand the requirement to do so before 5 o'clock.

I want to look at that scientific background. In the United States more than Canada, the polluting community out there, the anti-environment community, always

throws in the face of those who are environmentalists: "You don't have the science on this. You can't prove it scientifically." Over the years we've seen people whose health has been adversely impacted and the natural environment has been adversely impacted while people argued about the science, the particular precise science of whether or not there was an environmental degradation taking place.

I can tell you as well that people who have a great scientific background from the Ministry of the Environment often take jobs in the private sector and go to work for companies that they used to regulate at one time, people they used to call polluters at one time, and that's their prerogative. They are certainly, in a free and open society, able to do so.

I look at the fact that I consider Eva Ligeti to have been fired by the government. I went to the last press conference. I won't go to a press conference if this new person is appointed because I cannot in all good conscience do that if they appoint a two-time Progressive Conservative candidate, the president of the Conservative association federally in the Premier's own riding. I can't have that confidence. I wish I could. I can't have that confidence.

It doesn't mean that a person with a Conservative background of some kind—I think of Stewart Elgie, for instance. I don't want to embarrass Stewart Elgie, but he is involved with I think the Sierra defence fund. His father was Dr Robert Elgie, an esteemed member of this Ontario Legislature, a Conservative cabinet minister. If you had somebody from the environmental community of that nature, who comes from a Conservative family as such—I don't know what Mr Elgie's politics are—that would be a person who would inspire confidence in the public at large and certainly in those of us in the opposition. We cannot have that same confidence in the applicant who has been chosen by this government.

I went to the last press conference and report of Eva Ligeti. I knew at that press conference that her days were numbered. I was surprised that nobody in the press corps who were there asking questions asked the question: Do you think this is going to be your last report? I could tell it was going to be. Why? Because she was critical of the government. This government does not sustain criticism easily. The Premier is not a person who likes criticism. None of us does—I don't want to put the Premier in a special category—but I think it's well known that he does not look favourably upon those who are critical of him.

What we see is that those who are opponents of this government get shut down, no matter where they are. Anybody who dares to be critical of the government is a person who finds himself or herself in trouble. So much of the population who have something to say is intimidated by the bullying tactics of this government. I've seen it time and again. I even watch with dismay at many local levels where people say, "We'd better amputate ourselves at the knee, because if we don't, Mike Harris is going to amputate us at the hip." Often they need no amputation at all, but there's this anticipation that if you

do not play ball with this government, if you're critical of this government, then you're going out the door. That's what happened, unfortunately, to Eva Ligeti.

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That having happened, if the government was not happy with that person, at least her replacement should have been someone, again, who would inspire the confidence of all members of this House in terms of objectivity and total independence. But a person who has been a Conservative candidate in 1995 for the Harris team, in 1997 for the Conservatives federally, and president of the Conservative association federally in the Premier's riding is a person who is going to be looked upon with suspicion for this particular job. I emphasize that very much. As I said to the Premier, I understand patronage appointments. I understand that when you're implementing policy. But this is different. It's a watchdog; it's an officer of this assembly. It's very important that the Premier understand that.

I can only come to the conclusion that it's the Premier's own pride and—I hope the whip doesn't become angry with me or object—bullheadedness that has taken place. Because all of us can be bullheaded once in a while. I understand that. I can be that way once in a while; I know that. But that's what it appears to be. Instead of making a good decision, instead of saying, "I think the opposition has a point; I think the environmental community has a point," the Premier is going to show everybody that he is boss and that he can shove this resolution through this House eventually. I hope there is a long and considered debate, but he will eventually be able to push this through this House, and that would be most unfortunate.

That's why we're doing it. It's this personal pride of the Premier, that he doesn't want to be seen to back down. Listen, there are times when governments respond to criticism by making a change. That shows how big a government is. A government isn't powerful only when it exercises its power. It is also powerful when it doesn't exercise the power that it has, when it is benevolent, when it does recognize that there are other legitimate points of view to be put forward. This is a case for that, and that has not happened.

I understand in the process—and I'm not going to get deeply involved in the process—there was even an attempt to get another former Conservative candidate lifted from about 67th on the list into the top 10 on the list. So when I hear members of the government who sat on the committee say, "We didn't know about his background," come on. He was a candidate in 1995. I know candidates get together. They have a rally in Toronto or wherever with the Premier. There are provincial councils or whatever the Conservative Party calls it when people get together. There are conventions. Everybody knows that Gordon Miller is a strong and loyal member of the Progressive Conservative Party, and there's nothing wrong with being a strong and loyal member of a political party. It's just that that person doesn't fit in this position. It's the wrong position. It's not that the person



should be discredited because of his political background; I encourage people to become involved in the political process. This just is not the position, an environmental watchdog, where you want this particular individual. So for the Conservatives on the committee to say they didn't know he was a Conservative, well, I simply find that hard to believe. I guess that's the nicest way of putting it.

Mr Miller did not indicate at an early stage that he had served as a candidate on two occasions and was president of the association. That was left off the resumé and that was not mentioned. When a person is upfront about that, there's a little different viewpoint than when a person attempts to conceal that until asked, until prodded to get that information out.

This position, then, is not a repository for defeated Conservative candidates. There are other places where they may serve, and members of all political parties have been appointed to various positions. But this is not one place where you'd want that.

I worry as well when I see who contributed to the election campaign of the person who might be the Environmental Commissioner. I'm not talking about a member of this House. I understand that; a person in the cabinet will have contributions made. But this is an independent officer of this House. Here are some of the companies that have contributed to the 1995 election campaign: Falconbridge, Mallette Lumber, Abitibi-Price, Timmins Forest Products, Millson Forestry Service, Timmins Logging Inc, Westland Logging, Gaetan Levesque Logging, Mallette Inc, Grant Lumber, Columbia Forest, Erocon Waste Management and Columbia Forest Products, among other organizations dealing with waste management. This was brought to our attention by the leader of the third party in the House.

Members' campaigns do receive those contributions. I go back to the fact, however, that we must look at this as being a totally independent and objective organization, and it cannot be that as long as a person is supported by those whose interests are often not coincidental with the best interests of the environment, to put it kindly.

As I mentioned previously, I think it is important that we not have this debate closed down. That is the style of this government: to get the debate in a position where they can shut it down and get out of here before Christmas. Also the fact that we're involved in this process at this time is interesting because they believe that a lot of people aren't watching what's happening in this assembly, that they're busy with other things, with the holiday season upon us, with Christmas and New Year's coming very soon.

Very often you judge a government on what they do when they think nobody is looking, and that is certainly the case today. I heard an interjection from a government member who said, "Well, who cares out there anyway?" I'll tell you, there are people who are going to care, because this is something pretty sacred to us. This is our environment. This is not something else that you would appoint somebody to. This is not the agent-general in

New York, or London, as they used to have, or other positions of that kind; it's an officer of the Legislature, a person we want to be totally objective and independent, a person who must inspire the confidence of all members of the House. The government, with Mike Harris as Premier, has made a drastic error in appointing this individual if this appointment goes through.

I recommend this to the government and I will commend the government publicly in this place and other places if they accept the recommendation that they withdraw this individual from this particular position. If he's appointed to another position, so be it. One may object or not in that particular case. But I recommend that the government withdraw this person: the Conservative candidate in Cochrane South in 1995 for Mike Harris, the federal Progressive Conservative candidate in 1997 in Nipissing, the president of the federal Nipissing Progressive Conservative association. An individual with that background, with that on a resumé, simply cannot inspire the confidence of this House, because we will never believe there is total objectivity and total independence of that individual.

I hope the government will take that step. I hope the government will listen to others within the caucus who must be uneasy about this, because I can't believe that there aren't, sitting among the 59 members of the Conservative Party, people who are not uneasy about appointing this individual to this specific and particular position.

**Mr Bert Johnson (Perth-Middlesex):** Not at all.

**Mr Bradley:** Those who would say "not at all" simply cannot understand that a person who is an officer of this House must be totally and completely independent.

I urge those who do understand that, I urge those who can cast aside the partisan considerations, who look at what is good for the province and good for the environment, to urge the Premier to make the right choice, that is, to withdraw the nomination of Gordon Miller as Environmental Commissioner in Ontario.

1710

**Mr Dwight Duncan (Windsor-St Clair):** I'm pleased to have the opportunity to follow my colleague from St Catharines, who served a very distinguished tenure as the Minister of the Environment and who always speaks in this House on matters of this nature with great insight and great experience and knowledge. His words are to be respected.

I listened attentively earlier today as the government House leader spoke of processes that went on earlier this year not only surrounding this particular item but around a number of items. I'd like to share with the House and the people of Ontario my recollections of those processes so as to put them into their proper context. I noted earlier today that the Premier had indicated in response to a question that somehow the opposition had agreed to this process. Frankly, that is not how I recollect events. In fact, that is distinctly not what happened, and I think the record ought to reflect that.

In August of this year we began to meet as House leaders, at that time, the three parties that had members in the House, to discuss a variety of issues. The one that was at the forefront of the public debate at the time, of course, was the recognition of the third party and a range of other issues. At that first meeting in August, the government House leader proposed to us that we establish a committee of three members, one representing each party, and that those three members would meet to pick not only the Environmental Commissioner but also the Ombudsman for the province of Ontario.

The government had decided not to renew Ms Ligeti's appointment as Environmental Commissioner. We saw that clearly as the government's desire, as my colleague from St Catharines indicated, to get rid of Ms Ligeti, who had over the course of time been very forceful in her protection of the environment and pointing out flaws and failures of the government in terms of dealing with environmental issues. From the view of the official opposition, in any event, we felt that she had more than fulfilled her obligations as contemplated by the act.

I must say, we discussed it within our group and there was concern about the process, "Is the fix going to be in?" and what have you. But having reviewed it at some length, we indicated to the government that indeed we would accept that process. We made it very clear at the time that we expected it to be a process that would yield a candidate who had unanimous support of all three political parties. Indeed, it was the same proposed process for the Ombudsman initially, and we had agreed at that time, after some careful consideration, as to the merits of that particular process.

Then advertisements were drafted by the Clerk of the Legislature, I believe, or by human resources. We were given the opportunity to read them. They were posted in all the major dailies, or at least the major dailies serving major markets, I guess, in Ontario, and applications were received.

Then, towards the middle or end of September, all of a sudden the government came in and said, "We want to go to a committee of the Legislature," right out of the clear blue. Again, we were kind of taken aback, because it was the government that had first wanted to deal with this by the same process that it had dealt with under other House officers. They came back with that proposal. We were kind of surprised because it was the government in the first instance that had recommended the three-person panel—one person representing each of the parties. I must say, at that time we were leery because of the change. They were referencing specifically the Environmental Commissioner, and we couldn't figure out why.

At the end of the day, it was part of a larger package of changes to the standing orders, party funding questions. By my recollection, we reluctantly put that into the package but made it clear at the time, as did my colleagues in the third party, that as soon as there was a sense that the fix was in, we were out, we weren't going to play ball under those circumstances.

So it wasn't a question of agreeing wholeheartedly with a process that was somehow agreed to with open arms; it was a question of being nervous about a process that the government had changed in midstream. In fact, it changed over the course of less than a month.

We talked at that time about the concerns with a government that historically has used its majority to ram things through, that they would fix on their candidate and that would be the end of it. The committee has a majority of government members. For those in the public to understand, there are four government members of the committee and three opposition members of the committee, two being from the official opposition Liberals and one being from the NDP.

The process unfolded. Applications were received. I'm given to understand that yet another Conservative partisan had been sighted early and was pushed off the short list due to the efforts of my colleagues in the third party, and with the agreement of the government. That was appropriate. So I say to the Premier and I say to the government House leader, this was not a process that had been agreed to by the official opposition. It was not a process that we were at all comfortable with. But when you've got a gun to your head, you try to make the best of it; and we did make the best of it. We participated openly, as did my colleagues in the third party, with an open mind, looking at what we thought were a range of potentially good candidates, some of whom of course we didn't think were as good as others, based on the qualifications that were required by the advertisements and by what had been agreed to by the three parties.

As I understand it, lo and behold, it turned out that a close friend of the Premier's got the support of four members of the government in what was clearly a whipped vote, what was clearly a fixed decision. So in response to the Premier's words earlier today and to the government's House leader, the fix was in, there's no question about it. If the fix wasn't in, we wouldn't be here right now discussing it in this way. We're quite prepared and will accept the appointment of Clare Lewis as the Ombudsman. That was the same process that was invoked, without using the government's majority on the committee. It was done, we felt, in an open and fair manner. This wasn't—right from the beginning.

If the government members of that committee think that this wasn't thought through back last summer before they'd had anything to do with it, you're wrong. It was clear in our discussions this summer that they were fixing it up. So if you're going to sit there and just do what you're told on this instead of doing what your obligation as a member of the Legislative Assembly is, we're going to wind up with a very bad appointment.

We are at the point today of having a couple of substantive questions raised shortly in this House around process and around the rules because the government wants to jam this through tonight with very little debate. The government does not want us as members—all members—to have the opportunity to discuss this issue. We expect, first of all, that the government tonight will



try to bring it to closure before there's a second opportunity to discuss it. If they don't, at the very least they're going to try and debate it again tonight; that is, debating a substantive motion twice in one calendar day. We will be asking the Speaker for his ruling on that, whether or not that's appropriate. In his last ruling on dealing with a bill, I though he was very eloquent when he pointed out what current members of the government, including the Minister of Community and Social Services and the Minister of Correctional Services, said in the debate when the current rules were put in.

We had a look at those questions of time allocation in the standing order changes in 1997 and found some other interesting comments about the question of what the government intended last year. The former government House leader, the Honourable David Johnson, who was not returned to the Legislature in the last election, pointed out that one of the reasons they brought forward the changes that they did with the standing orders was to afford more members the opportunity to debate on a given issue. That was the whole purpose of it, to give us all an opportunity to participate fully in these debates.

So if in fact the government intends to move closure either this afternoon or this evening, we will again ask the Speaker for a ruling as to whether or not that would be appropriate in light of the fact that we have a substantive motion here, a motion that ought to be subject to the same rules of debate as a bill, because this is a very important matter. That would be three days, three sessional days over three calendar days of debate, which would take us to the minimum of Thursday. That is what we are going to argue for and that is what we want.

1720

Indeed the government will have to bring in closure then as well, because that's not going to be enough time to allow all of our members—I should point out too, by the way, that the government House leader this morning said that eight members of our caucus had already left on holidays. What nonsense. We had 33 of them in the House today, so two of them had left. Make no mistake: We'll be here till the cows come home to try and prevent this particular appointment.

All the spin in the world is not going to deflect attention from the fact that this government is trying to jam down the throats of the people of Ontario an Environmental Commissioner whose first interest isn't the environment, but is to protect the Premier's duff on important questions of environmental policy and will have nothing at all to do with making a solid appointment to that particular position.

We also look back at what other members of the current government have said about closure. I'll be bringing these points up later on, on proper points. The finance minister at one point in one debate in June 1994 chastised the then NDP government for its use of time allocation and closure. I'll just give you a little bit of the flavour of what the point of order is going to be when you try to jam this through tonight. He said: "It was a closure motion described as a time allocation motion and I think, quite

honestly, a very sad day for legislative debate in Ontario. Now, any time a government, when it wants to move a stage of a bill other than second reading, can simply, under the guise of a time allocation motion, say, 'We're cutting off debate effective now; no further debate.'" He goes on to say—we'll be talking more about this at the appropriate time—how wrong it is for a government to use closure.

If this government with less than three hours of discussion in this House attempts closure, or with less than three sessional days over three calendar days attempts closure, they're going to get a loud, resounding no from the official opposition and I know from my colleagues in the third party, because we're not going to let you jam this through; we simply will not.

We challenge you tonight, instead of trying to bring this up, let's deal with Christopher's Law. Let's get that done at long last and leave this till tomorrow. We know you're going to want to do that and we'll be more than happy to participate in that discussion this evening.

You are the ones who are trying to use the rules to jam through the Premier's buddy as the Environmental Commissioner. So the member from Brampton, who's the Premier's lapdog just like the new Environmental Commissioner, will get up and say all the time, "Oh, it's the opposition." We'll give you Christopher's Law. Just don't stuff this one down the throats of anybody.

I'll tell you something else. This Legislature has met less than virtually every other one in the country this year. Why? You didn't want it back. You didn't bring the House back till the end of October. You didn't want to face the House, and when we get back here, the Premier deigns not to come to question period unless it suits him. You can talk all you want about process, but let me tell you, the facts speak for themselves on that, and all your spin and all your honey is not going to change it.

I was fascinated today. The government tried to introduce a motion on unemployment insurance. It wanted to deflect attention away from the issue of the day, which is the Environmental Commissioner. Let me read you some quotes from a prominent Ontarian about provincial governments that fed-bash. Let me read you some of this.

"Instead, the government now of Ontario is reduced to whining and squabbling with other levels of government. This wasn't the way it was for 190 years in Confederation in Ontario." He goes on to say, "We have always been the leaders in Confederation and we've now become the whiners in Confederation.

"So we can continue to complain that other levels of government are not pulling their weight. We can blame local levels of government or we can blame the federal government, or we can turn our energies towards making Ontario" better.

He went on to say, "We suggest that the Premier and this Legislature should turn their energies to fix that which is broken here...."

"So it actually is a disgrace when the Premier of the province of Ontario spends his time whining, pointing fingers, blaming others. That is not the legacy, that is not

the history, of this province that I grew up in and that will not be the legacy and the history of this province when we bring common sense back to it." That was Mike Harris. Mike Harris said that.

So instead of wanting to debate the Environmental Commissioner today, instead of wanting to talk about one of the most important officers of the Legislative Assembly, he wanted to whine about the federal government, just like they've whined every day this session in a shameless, shameless display of avoiding their own problems. To the backbenchers and the lapdogs in the opposition—

**Mr Bill Murdoch (Bruce-Grey):** What are you talking about, whining over there?

**Mr Duncan:**—you have a chance tonight to say to your government, "We're not going to let you force closure on this because we, as members of the Legislative Assembly, believe that we need a candidate who will protect the environment and not protect the Premier."

**Mr Murdoch:** Some whiners over there don't know what they are talking about.

**Mr Duncan:** The member for Grey heckles endlessly. This is the member who changes his mind to suit his purpose. This is the member who in one vote doesn't vote on municipal restructuring, sits in his place, and the next time around he's against it. When it suits his purpose, he criticizes government. When it doesn't suit his purpose, he's with the government all the way.

So I say as I yield the floor to my colleague from Thunder Bay, it's evident that this process has been stacked from the beginning. The opposition began to participate in it in good faith with the understanding that it would be fair, that it would yield a candidate that there would be unanimous consent or unanimous agreement among the parties on. What it turned into was a charade to appoint the friend of the Premier to an important position that is designed to protect our environment, to a position that really demands the unanimous consent of all three parties. It's a sad day, and it will be even sadder if the Speaker, later today, allows the government to close debate.

At 6 o'clock tonight, let's agree to resume this debate tomorrow, and tonight let's deal with Christopher's Law. Let's deal with Christopher's Law, and we'll deal tomorrow and we'll deal Thursday with this again. Then you can try your closure motion; then you can try to force closure. But tonight let's deal with Christopher's Law, and let's begin debate tomorrow afternoon on this particular bill. This province will be better if we do it that way. This Legislature will be better. If we get the full opportunity to debate it, at least then the government can't be accused of further undermining democratic process and privilege in this House.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** My colleagues the member for Windsor-St Clair and the member for St Catharines have already eloquently expressed our concerns about the government ramming through yet another motion in this case, just as they've rammed through legislation throughout this session.

They've spoken eloquently about our concerns regarding this specific appointment of an individual who cannot be seen to be politically independent to the position of Environmental Commissioner of Ontario, a position perhaps above all others, but certainly along with positions like the Ombudsman and the Provincial Auditor, that must clearly be seen to be politically independent.

My colleagues have stressed the fact that somebody whose credentials include having been a former Tory candidate and no less than having been the Progressive Conservative president in the Premier's own riding, however his qualifications may or may not fit the requirements for an Environmental Commissioner, cannot be seen to be politically independent.

Mr Speaker, what I want to spend my time on, what is now 10 minutes left to me as one of the members who would like to address this very important issue, are some of the reasons why this government indeed would want to make this a politically controlled appointment rather than respecting the independence that this role should hold.

I want to come back to the reason why we are appointing an Environmental Commissioner. It's because we have an Environmental Bill of Rights in this province, and the Environmental Bill of Rights has two basic premises: One is that the government has primary responsibility for protection, conservation and restoration of the natural environment. The second premise of the Environmental Bill of Rights is that the people should have means to ensure that it is achieved in an effective, timely, open and fair manner.

1730

The appointment of an Environmental Commissioner is to ensure that that commissioner monitors the government's enforcement of the Environmental Bill of Rights. No wonder this government, with its record on the environment, is concerned about having an Environmental Commissioner who is politically independent and not subject to being controlled, co-opted or influenced by the present government.

I suggest as well that it's no wonder this government is concerned about the very nature of having an Environmental Commissioner whose responsibility is to ensure that the people of this province have some assurance that the government is acting to protect the environment. One of the responsibilities of the Environmental Commissioner is to ensure that the Ministry of the Environment is compliant with its own statement of environmental values.

The commissioner also has the responsibility of reviewing whether ministries responsible for the environment, whether it's the Ministry of the Environment, the Ministry of Natural Resources or the Ministry of Health, meet the Environmental Bill of Rights requirements that they consider comments from the public. The Environmental Commissioner further has a responsibility to review how ministries handle applications the public can make under the Environmental Bill of Rights to review existing policies, acts and regulations.



The Environmental Commissioner's role is all about monitoring the government and, beyond that, ensuring that the public has the ability to question the government. If there's one thing the Mike Harris government has steadfastly avoided in every possible way for the entire four and a half years of its mandate, it is any kind of public scrutiny, public input or public criticism of its policies, acts or regulations. No wonder they want to make sure that this particular appointment is tightly controlled.

The government House leader said earlier this week or last week that this was after all not a government appointment; it was a Legislative Assembly appointment. The government members have made much about the fact that this is a process done by a committee where all parties have representatives. They of course refuse to acknowledge what our House leader has acknowledged today, and that's that there is a majority of government members who just happened to vote all the same way on this particular appointment, much more characteristic of the way in which government members vote the same way on virtually every amendment that comes before a committee these days.

We should also acknowledge that the government House leader not so very long ago, just in September, actually, of this year—after the government had come under considerable pressure for its failure to renew the contract of the previous Environmental Commissioner, who was a very stern critic of this government on its environmental record. The government chose not to renew it.

Now the government may say: "This is a Legislative Assembly appointment. It's not a government appointment." But it was not the Legislative Assembly that decided not to renew the contract of Eva Ligeti. There was no motion that came here before the House for any kind of debate as to whether or not Ms Ligeti should have been reappointed. That decision was made when this House was not even sitting. That was a decision that was made by the government. I submit it was a decision that was made very directly by the office of Mike Harris, the Premier of Ontario, who did not want Ms Ligeti continuing to bring forward reports as critical of this government's environmental record as Ms Ligeti brought forward last April.

There was considerable pressure on the government for having unilaterally revoked, without cause, the contract of Ms Ligeti and appointing an acting commissioner. In fact, there were some questions as to whether it was even legal for the government to appoint an acting Environmental Commissioner. But in response to that criticism, the government House leader, just last September, actually started to do some things that might have created a truly independent commissioner. We might have been looking at a very different resolution today if his ideas had been carried forward.

I'm looking at an editorial in the Windsor Star of September 27, 1999, by Peter Worthington, in which he offers his praise to the government for having taken "the

unusual ... step of publishing ads seeking candidates for the positions of Ombudsman and Environmental Commissioner." So far, so good.

"While the government" at that point, Mr Worthington says, "hasn't settled on the exact procedure that will be followed" to consider the candidates who might apply, "government House leader Norm Sterling has proposed setting up a special committee to oversee the appointments." I think it's important to note what the government House leader suggested was an appropriate process back in September of this year. He said that committee would be made up of a member from each party and be chaired by the Speaker. That would have been a truly independent process. That process would have brought forward a recommendation today, a motion today, which truly would have represented a consensus on the part of all three parties as to who would be a politically independent Environmental Commissioner for the province of Ontario.

I regret that the government House leader was clearly overruled by the Premier's office. I understand why this kind of independent process wouldn't work if the Premier had in the wings to be Environmental Commissioner somebody who had perhaps been promised the position of Environmental Commissioner, somebody to whom obviously the Premier had some political debts owing because he had been the president of the Premier's riding, after all. So I assume the Premier had made some commitments, but even if he hadn't, the Premier knew this was somebody who could be counted on to be less critical than Ms Ligeti had been.

The idea of a process that would be truly politically independent and that would have brought forward a resolution today that we could all support as an open and transparent process of appointing a politically independent Environmental Commissioner didn't fly by the Premier's office, and so today we're debating a motion that puts forward the name of an individual, and I don't, quite frankly, believe that the man's qualifications for this position are even relevant to the discussion. The concern here is that the process was not one that was open and transparent, as Mr Worthington suggests the process should be; not carried out in private, as the member for Halton has indicated it was. It should be a process that is open and transparent, that is independent, with equal weight being given to all members of each party in the House, with the deciding vote being in the hands of the Speaker so that this appointment would truly be an appointment by the Legislative Assembly and would be politically independent. Then perhaps the premise of the Environmental Bill of Rights, that the Environmental Commissioner would ensure the public has the opportunity to scrutinize and guarantee that the government is enforcing its own Environmental Bill of Rights, could be fully carried out.

**Mr David Ramsay (Timiskaming-Cochrane):** I'm very pleased to take part in this debate, although I acknowledge it's very sad that we have to have this debate at all. We are now turning back the clock and

looking at appointing a servant of the people, technically called a servant of the Legislature—they are to serve all of the people of this province—as if it was a political appointment of this government. That difference really needs to be spelled out, and I think my colleague from St Catharines this afternoon on two occasions expressed it very well. There's a difference between a political appointment of a person on a government agency that is charged to expedite government policy versus appointing a person who is a servant of the Legislature, there to serve all of the people of Ontario and to act, as that servant of the Legislature, as a watchdog on the current and future governments down the road.

There's a main difference here, and that's what we're dealing with. I thought we had moved away from some of the precedents of the past where governments decided to make political appointments of some of these very sensitive and important decisions in this province, and we've slipped back.

In fact, I can recall a couple of years ago when I thought we had embarked upon a process that was independent, that was shared by all three parties of this House. In that case it was the appointment of the privacy commissioner. I see the Tory member has come in who was part of that, Mr Tilson. We had worked very well together. Mr Tilson and myself and Marion Boyd from the NDP had been chosen from our various parties to work together and to interview the best candidates from across this country who had applied to the Ontario Legislature to be the privacy commissioner of Ontario. That was a process that worked very well, and in the end there was total consensus by all three of us as to who the best candidate was. There was no question about it. We reached that decision very quickly. It was not a partisan process. It was not based on a vote. It was not influenced, therefore, by the number of members in one party versus another. It was a representative from each party, regardless of the representation that party had in the Legislature. We worked together to find the best candidate. We did that, and we did choose the best candidate. The process does start with human resources of the Legislature sorting through all the various applications and creating a short list for us.

1740

What is very interesting when you have experts creating a short list from CVs is that once you interview people sometimes your mind will change as to the order of those applicants, because nothing tells you better about the person's ability than that face-to-face interview with the potential candidate. When we did that, it became immediately apparent to us who was the superior candidate, and there was all-party agreement. There was no weight being used by one party over another. We all had the same say there and it was unanimous.

I remember talking to the Clerk at that time and complimenting the officers of the Legislature and the government for allowing the Legislative Assembly officers to embark on a neutral process like that. I complimented the Clerk—I thought it worked—and I complimented the

House leader of the government. I thought that was the future of the way these positions should be decided.

We've slipped back. It's too bad and it would appear, because of the relationship of the candidate, that the fix was in and that's why the process was changed. That is really sad. Maybe we were partly at fault, being gullible and accepting the process when the government did say, "Why don't we do it with the legislative committee?" We probably shouldn't have done that. That was probably the signal that things weren't going to be as they were. But, as the House leader said, it was part of a package and the commitment was there that there wouldn't be a partisan approach to this and let the committee do its work. But, unfortunately, the way that committees are struck here, and rightfully so, the governing party has the majority of members and in the end can have their sway. That's what happened, and I'm afraid it was the direction that the Premier wanted.

What's upsetting about that, and I think people have to understand, getting back to this difference, is that the Environmental Commissioner is a watchdog for the province on behalf of all of the people to make sure the government of the day, regardless of the political stripe, is protecting the environment for all of its citizens. That person is not there to make sure that government policy is put forward and proceeded with, which is the legitimate *raison d'être* of many of the different boards and agencies of the government of the day, and it is obvious and apparent and a good rationale why the government would want to make sure that it appoints people who support that direction. But this is a very different job and all members of the Legislature representing all regions of the province, all parties, all political, ideological thinking, should have confidence in this person.

What we have here today, and possibly into this evening as this debate continues, is the government using its might to shove down the throat of Ontarians their particular pick, who happens to be a very close friend of the Premier's, happens to be a card-carrying Progressive Conservative, happens to have been a past candidate, both federally and provincially. I don't think the people of Ontario and certainly the opposition have confidence that this person is going to be able to take that arm's-length look at the actions of this government, at the actions of a ministry that he once served just a few years ago over a career; he's part of the culture of the Ministry of the Environment of Ontario. He's a friend of the Premier's. He's really too close to the action on any front that you look at. It's wrong, and the government should reconsider what they're doing here today. It's absolutely wrong.

This is not the first time the government has fiddled with the environment. It's interesting to note the various connections and the weaving in and out that the government has done with its friends with regard to the environment. When Toronto's garbage was first proposed to come to Kirkland Lake, the proponent hired an environmental lawyer, Mr Robert Power. Mr Robert Power worked on behalf of the proponent, Notre Development.



Mr Robert Power also acted as an adviser to this government on the Environmental Assessment Act, changes to the Environmental Assessment Act that ironically made it easier for the scheme to send Toronto garbage to Kirkland Lake, to a large open mine pit, easier to pass an EA, and it did. It was able to be passed because the law was changed so that now the government, when ordering a hearing, could scope it down to one or two items rather than have the totality of the project be examined by the public in a hearing. The story goes on that Mr Power later on was rewarded for all of this as he was appointed the chair of the Trillium Foundation. There were stories last year about the goings-on there and the firings that happened after his arrival.

This government has been very consistent with the appointment of friends and trying to influence the environmental workings of this province—and it's wrong. We should have the faith that we have independent people who are acting as a watchdog on this government and any other future government, on behalf of the people, on behalf of one of the most important assets that we have, our environment, the environment that we all depend on for our lives and our safety and our health. We have to make sure that we are doing a better and better job, and I think the people have to have faith that that mandate is beyond partisan politics. That is why we created this position of Environmental Commissioner, a person who reports to the people of Ontario through this Legislature.

I believe this position now has been corrupted by this government. It has been corrupted because they have now applied the political process to the appointment of that person. Unfortunately now that diminishes the office that has been appointed and it diminishes the responsibility of that commission in doing its job, and for that the people of Ontario I think will be forever saddened.

**The Acting Speaker:** The member for Broadview-Greenwood.

*Applause.*

**Ms Churley:** Thank you. You're eating into my time.

It's actually a very painful moment for me to get up and speak to what I would consider a very sordid situation that we've got ourselves in here tonight—sordid, unseemly and totally inappropriate—and that should not even be before us tonight. I have about an hour to speak, but as you know, I just have a few minutes now before we break. I'll be coming back later to continue.

I want to start to talk, though, about what an important debate this is tonight and how very important it is that every member from any party, particularly the opposition, have an opportunity to speak to this bill. I certainly hope the government will listen carefully to what my colleagues and I have been saying and will be saying, and will change their minds and withdraw the nomination. We could send this matter back to committee. There is a resolution that I put forward, a motion that asks the committee to go back and reconsider this appointment. On that matter I asked for unanimous consent today to debate that, but the government said no, not to my surprise.

The government has given every indication that they will not listen, and in that case I think it's fair to say that we are just getting started on what should be a long and very thorough debate. I know several of my colleagues want to speak and they should be given the opportunity. There are various aspects and elements of this motion that we're debating tonight that need to be discussed and brought to the public's attention. This is central to the environmental future of our province.

Further on in this debate we also have several amendments to the motion that we want to propose. Even if those amendments are adopted, this would not make the motion acceptable. It would improve it perhaps a little bit, but not enough to make it acceptable. Ultimately our party is going to be voting against this motion. But I certainly want to give us time to put our thoughts and our concerns on the record and an opportunity to present our amendments and have those debated. So I'm looking forward to a thorough debate.

1750

At some point the government no doubt will try to bring closure. But, Mr Speaker, I have looked at recent precedents and they suggest that the government should not be too hasty tonight in moving closure. I'm going to give you a couple of examples. On November 5, 1996, after more than nine hours of third reading on Bill 75 over four days, Speaker Stockwell ruled that debate should continue. This was on a bill relating to video lottery terminals, which previously had extensive debate in committee and on second reading. Later, on November 13, 1996, during the seventh day of third reading debate, when the government again attempted to end debate, Speaker Stockwell agreed to put the question. I believe it is an appropriate precedent for us to keep in mind here today and in the days to come as we continue this debate on this motion.

The debate we're starting today on this appointment could be a turning point for the future of environmental protection in this province. We believe that if this appointment is allowed to go through, the landmark Environmental Bill of Rights, with an independent watchdog, is at extreme risk. That is why we're making such a fuss about this motion before us. We're not just talking about one appointment now, but we're talking about the future of the independence of the Environmental Bill of Rights and the Environmental Commissioner. This is the beginning of what could be and should be an extremely lengthy debate, so I appreciate now the opportunity to begin my further comments.

I want to start by talking briefly, and I believe correcting the record, about how we got to this point. I have a bit of disagreement with what the Liberals said about how we got here. It's my understanding that the government House leader had offered us—in fact, I know this to be true, because I was very pleased when I heard—a truly independent, non-partisan committee to be set up to choose the Environmental Commissioner, with a representative from each party. Of course, as the environment critic for the NDP, I have been a part of the environ-

mental movement for a very long time and I would have been the representative on that committee.

Then to our surprise, out of the blue—I expect it came from the Premier's office—suddenly the government House leader withdrew that offer. This is where I have a little difference. It's my understanding from talking to my House leader that the discussions around whether or not it would go to a three-party committee or a government standing committee with a government majority—that was not part of negotiations. It may have been discussed in negotiations, but certainly this was not on the table as debatable in terms of, "You take this and we'll give you that." We had a gun to our heads—no choice. The government House leader came back and said: "This is the way it's going to be. I'm sorry, I can no longer give you the truly non-partisan committee. You have to accept the standing committee with a majority of Tory members." When I heard that, I felt nothing but dismay, because I've been around this government for some time now and I knew when I heard that that the fix was in.

I was chosen as the representative from the NDP. Like all the members of the committee, I spent many hours, not only in the committee—I believe there were 20 hours altogether in the committee—but poring over resumé's, doing my best to maintain the integrity of this committee and doing my best to play by the rules. But I can tell you again that the opposition in this committee did not make up the rules; the government majority did.

I'm going to go through the process of what happened in that committee a little later when I come back, because my version—and I was there. I believe I'm the only member of the opposition, of both the Liberals and the NDP, who was actually there at the committee to speak to this bill tonight. I'm going to outline, for the Legislature and anybody who might be watching, what happened in that committee and why we are here now.

Right now, in the next couple of minutes, I want to talk about how important it is that the government go back to the drawing board on this very important appointment. I feel nothing but dismay and disappointment, having been a long-time environmental activist—

**Mr David Christopherson (Hamilton West):** Outrage and disgust.

**Ms Churley:** Outrage and disgust will come later, believe me—watching a government and the government members, from the Premier on down, failing to understand, or at least pretending not to understand the difference and appointing a very partisan person to a role like this, as opposed to appointing—somebody, I believe it was the Minister of Labour, the other day pointed out, "What about David Agnew?" whom our government appointed as the secretary of cabinet. "What about David Lindsay?" who this government appointed as the head of their job board, or whatever.

We might not have liked it; we don't like some of your appointments as deputy ministers and to all kinds of positions. But you have the right to do that. They're not Legislative Assembly positions. They're not the auditor. They are not supposed to be at arm's length from the

government of the day. They need to be able to feel, and the public needs to know absolutely, without question, that the person in that role is totally removed from the government of the day, is not beholden to that government in any way.

**Ms Martel:** And is not a party member.

**Ms Churley:** We'll get to that later as well. You can see that my colleagues really want to speak to this bill, because we were all outraged by it. It's really critical that the government members understand, when we speak to this bill, that we have a clear understanding in this party—after all, we have been in government. We understand who and what kinds of people it is appropriate, whether the opposition like it or not, to position, and where it's inappropriate.

I can assure you, when the first Environmental Commissioner, Eva Ligeti, was appointed, there was a process put in place where at the end of the day all parties agreed to that appointment. I wasn't part of the process; I don't know if a compromise was reached to get there or not, but the reality was that Ms Ligeti was here and was proudly presented to the Legislature, and all three parties applauded her appointment.

In fact, I have Hansard from that time. I have to tell you that she didn't hide anything from the committee. She was upfront about her past, and everybody knew exactly what they were getting. It was very clear that every member of this Legislature and the public felt very comfortable knowing that the person in that position could be trusted, yes, to take our government, the NDP, who put the Environmental Commissioner and the bill of rights in place, to task, that she wouldn't be beholden to us either. That was absolutely critical.

No government likes to have a watchdog breathing down their neck and telling them and the public what they're doing wrong, but that is the role of this person. The role is to watch government, to keep an eye on environmental protection in this province and to tell government what they're doing wrong and what they're doing right, to give the public an opportunity to participate in decision-making, to give the public an opportunity through the registry to see what kinds of decisions are being made and to have input. That's what the role is.

Can you not see, members of the government, the difference between this appointment and that of Andy Brandt, the chair of the liquor board, who was brought up earlier by one of your members? I nearly collapsed in laughter that any member could not see the difference between appointing Andy Brandt to the liquor board and appointing a watchdog, an auditor of sorts to protect the environment in this province.

This is just the outline of the comments I want to make later but I wanted to start by making sure that the government tried to begin to understand the difference, making them understand that this is going to cause them real trouble down the road. You may get this passed tonight. I'm going to do everything I can to prevent you. You've tightened up the rules in such a way that it's going to be very difficult, I know that but, by God, I'm



going to try. Even with your tight rules, I'm going to try. But if you get this passed tonight, mark my words, you'll regret it.

1800

## ADJOURNMENT DEBATE

**The Acting Speaker (Mr Michael A. Brown):** It being 6 o'clock, the motion for adjournment is deemed to have been made. We now move on. Pursuant to standing order 37(a), the member for Toronto Centre-Rosedale has given notice of his dissatisfaction with an answer given by the Premier. The member has five minutes for his presentation.

## PREMIER'S ATTENDANCE

**Mr George Smitherman (Toronto Centre-Rosedale):** It's with regret that I have forced some colleagues to stay and listen for five minutes of my speech, and delighted by the interventions already from the sometimes Speaker.

This afternoon I asked the Premier a question. Rather, I should say that this afternoon I tried to ask the Premier a question, and instead of answering my question, the Premier recited warmed-over bromides from his latest Tory fundraising speech. The members opposite loved it. They rose on their tails, they put their flippers together and barked on cue. All of this surprised me because it couldn't have been anything new to them, because if there's one thing we know for sure, it's that the Premier and the Tory caucus sure do attend a lot of fundraisers.

I'm not going to re-hash here what it was they were barking for. That's the PA's job and we're very interested to see his five minutes.

Instead, I want to focus on my question, the question that went unanswered. At the heart of my question was the issue of accountability. We all know that accountability is not a problem at Tory fundraisers. There the Premier is more concerned with accounting and counting—counting the take of the proceeds of the night, as it were.

Accountability is much more important to the vast majority of Ontarians who are not wealthy enough to influence Tory government policy, who cannot by a phone call get government ministers to write letters to quasi-judicial bodies.

Specifically I wanted to ask the Premier whether someone can be held accountable when that someone is seldom present to be accounted for. Am I the only one here who wonders whether it's all worth it, whether with this government and the way they go on, with their closure and time allocations, the role of this place is being diminished to such a great extent that backbenchers and opposition members must really ask themselves what their role is?

I remember a different day, and I'm a reasonably young man, when I worked for a different Premier, one

who used public hearings and committee meetings, where travel meant something, where members travelled, where they went around the province and sought input, where amendments were brought forward.

## Interjections.

**Mr Smitherman:** It's interesting that the member for Bruce-Grey would heckle me, because we've had to see in the last few days an exercise of Tory insider backroom dealing to get him onside with a piece of legislation, because the government refused to admit that there were inadequacies in its own legislation. Even when a sensible member like that one—I can't believe I said that for the record. Even when a member like that one brought forward a recommendation that clearly would have resulted in an improvement to the bill, instead he did a backroom deal. He got a letter from a minister. No amendments. In summary, no input from anybody.

So what do we see increasingly in this place? Watered-down role for opposition and backbench MPPs; omnibus legislation which lumps all kinds of things together; King Henry VIII clause that says, "Mother knows best," or in this case this paternalistic approach from this government that seeks to control all power.

In conclusion, government bills are perfect bills and we see the evidence of that in this place time and time again, because the opposition is given no chance, nor is the public, to comment on legislation. The government has created the world's most expensive soap opera, acted out here daily under these television lights; backbenchers like the member for Huron-Bruce made so irrelevant that their name doesn't even roll in the credits.

In my riding of Toronto Centre-Rosedale the film and television industry is exceedingly important—thousand and thousands of people are employed by it—but I didn't run for office to become part of it. But I fear that our ratings will never quite match those of wrestling, which I highly recommend to the member for Huron-Bruce, and that is because—this is the punch line—73% of the time the leading actor in this place won't even bother to be held accountable. He won't even come out of his trailer.

**The Acting Speaker (Mr Michael A. Brown):** The parliamentary assistant has up to five minutes to reply.

**Mr Morley Kells (Etobicoke-Lakeshore):** On behalf of the Premier I'd like to indicate that I appreciate the question from the member opposite. Let me first say that I know the Premier respects this Legislature and the important work it does. He respects the role each of us has in this House, and that includes the role of the opposition to criticize the government.

Question period is an important part of our responsibilities as duly elected members of provincial Parliament. The Premier firmly believes in the importance of governments being held accountable through the opposition questioning of ministers and the Premier in the House.

I would also indicate to the member opposite that premiers of this province bear additional responsibilities beyond simply attending question period. In fact during the Mike Harris opposition days, he was firmly on record in recognition of these responsibilities.

On May 25, 1992, for instance, a day Premier Rae happened to be out of the House, Hansard shows that Mike Harris said the following:

"I won't take time talking about the Premier's attendance in the House. I understand, as the leader of a political party, that there are other important functions that must be fulfilled ..."

What, you may ask, would be a reason that would require the Premier to miss a question period or two? Upon our government's election in 1995, for instance, we faced an \$11.3-billion deficit. We had record levels of people on welfare. We had lost over 10,000 net jobs during the term of the NDP. Our Premier's primary responsibility was to cut taxes to create jobs, to create hope and opportunity by giving people on welfare a hand up to mandatory work for welfare.

It was because we faced such huge challenges that, as a government and as a Legislature, we set new records for legislative and committee work in our first term. In fact during the last Parliament—

*Interjections.*

**Mr Kells:** Let me try again. In fact during the last Parliament our government sat more sessional days—12% more than the NDP and 45% more than the

% more than the NDP and 45% more than the Liberals—and spent more time in committee—23% more than the NDP and 128% more than the Liberals—than either of the previous two governments.

It took us that long to undo the damage done to this province during 10 long years of other government rule. It took us that long to take Ontario from last in the country to first in the country on job growth, with over 600,000 new jobs created. It took us that long to take Ontario from record numbers of people on welfare to 462,000 people off welfare.

I want to thank the member opposite for giving me this opportunity to thank our Premier and my fellow members of caucus for the tremendous work they've done to date and for a commitment to continue to do all we can to create even more jobs, more growth and more opportunity in this province.

**The Acting Speaker:** It being past 6 of the clock, this House stands adjourned until 6:45.

*The House adjourned at 1810.*

*Evening meeting reported in volume B.*

## ERRATUM

No.	Page	Column	Line(s)	Should read:
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First Session, 37<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 37<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 21 December 1999

Mardi 21 décembre 1999



Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 21 December 1999

*The House met at 1845.*

### ORDERS OF THE DAY

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

Resuming the adjourned debate on government notice of motion 30.

**Mr Dwight Duncan (Windsor-St Clair):** On a point of order, Mr Speaker: Earlier today, in the afternoon session, we dealt with the same government notice of motion. It is the position of the official opposition that what we have before us is a motion that is substantive in nature and ought to be treated in the same fashion as a bill, and that is that there ought to be no more than one opportunity in a calendar day to discuss the same item of business.

Last week the Speaker ruled on a bill and found in favour of the opposition. In this particular instance, it's the view of the opposition that this substantive motion ought to be treated in the same fashion as a bill in order to facilitate meaningful debate. Many of the points that were raised by the Speaker with respect to the point of order I raised last week reflect in the debates at the time with respect to the standing order amendments that the government of the day, the same government, brought forward, and that is that those standing order changes were designed to facilitate debate.

This is nothing more than a thinly veiled attempt to stuff the appointment of the Environmental Commissioner down the throat of this Legislature tonight so the government members can go home. We ask you, sir, to find in favour of our point of order that says the same item of business, this item of business, a government notice of motion, which is a substantive motion, ought to be treated in the same fashion as a bill, and accordingly we cannot spend more than one sessional day—or only once in a calendar day can we deal with the same item. If the Speaker allows this item to proceed this evening, it is the view of the official opposition that it ought to be out of order.

**The Acting Speaker (Mr Tony Martin):** A further point of order on the same point, the member for Hamilton West.

**Mr David Christopherson (Hamilton West):** On behalf of the NDP caucus, I would like to make submissions to you that are similar to and in support of the

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 21 décembre 1999

position of my colleague representing the official opposition.

If we look at the spirit of the intent of the clauses that prevent the government from doing the same piece of business on the same day, clearly the fact that it's a substantive motion versus a bill is not enough, in our opinion, to justify denying us the protection that we have when exclusively the word "bill" is being used.

I would draw your attention to section 46(a) of the standing orders, "The government House leader may move a motion with notice providing for the allocation of time to any proceeding on a government bill or substantive government motion," my point being that the application of the rule in 46(a) is applied equally to a government bill or a substantive government motion.

It would seem to us to be inconsistent that on the one hand the Speaker, with respect, would uphold the argument that there are only limited things that you can do in one calendar day and then would deny us the same spirit just because it's a motion rather than a bill, particularly in this case where we are dealing with such an important substantive motion. This is not a trivial motion. It is arguably one of the most important substantive motions that we'll deal with, certainly over the next coming time.

We would ask you again to extend to us the rights that Speaker Carr ensured were provided to us in this ruling, thereby laying down, if you will, the foundation that says, "Yes, government, you have majority control and, yes, you can change the standing orders at will, but there are certain limitations," and that when we reach those limitations the Speaker will ensure that our rights as a minority are protected. We here in the third party see this very much as an extension of that ruling, and we ask that you recognize the spirit of that ruling and ensure again that substantive motions cannot be passed in one calendar day just because this government decided a while ago that one day can equal two days, which is of course what we have now with the afternoon sitting and then an evening sitting. To prevent the government from being able to railroad things at lightning speed that is even unacceptable for some of them, that rule was put in place.

All we are asking, Speaker, is that the spirit of that ruling, which was upheld by Speaker Carr, now also be applied to the issue of a substantive motion.

**The Acting Speaker:** On the same point of order, the chief government whip and deputy House leader.

**Hon Frank Klees (Minister without Portfolio):** Speaker, I submit to you that there is nothing out of order

about the government calling this motion for this evening.

The member for Hamilton Centre referenced the standing order, and I draw your attention to the fact that the standing order the honourable member referred to refers specifically to time allocation. That's not what this is about.

I also suggest to you that standing order 9(c) in fact specifically prevents the government from calling a bill in the afternoon and evening sittings. I refer you, Speaker, to that standing order, where it states very clearly, "no government bill shall be called on more than one sessional day during a single calendar day without unanimous consent."

What we are discussing today is not a government bill. It is a motion, and motions may be called in both the afternoon and evening on the same calendar day. Standing order 9(c) cannot be applied in this case to calling this motion again this evening.

Speaker, calling a motion in this way is not unprecedented, and you will know this. In the past, this House has seen other substantive government motions such as address in reply to the throne speech, as well as a budget debate, called in both the afternoon and the evening of the same calendar day. Members opposite refer to substantive matters of business, and surely you would agree that the address in reply to a throne speech and in fact a budget debate are clearly substantive matters of business.

The opposition refers to statements made in 1997 at the time the standing orders were amended. While those statements proved to be salient to the ruling the Speaker made last Thursday, they do not apply to our situation being discussed here today. Those remarks of 1997 served to explain the intention of the government in introducing the amendment to the standing orders now known as 46(e). Standing order 46(e) is a standing order that governs what business may be called on the same calendar day as a time allocation motion. The Speaker's ruling of last Thursday further clarified that standing order, but that ruling and the remarks by members made in 1997, I submit to you, were very clearly in reference to bills and time allocation motions and are not applicable to our situation this evening.

On the question of whether this motion may be called this evening, we are to be governed by other standing orders and by our precedents in this House. I suggest to you, as I have stated before, we have precedents here in this Legislature in this province where substantive government business, substantive government motions such as the one before us today have been called in both the afternoon and the evening of the same calendar day. For these reasons, I believe the precedents are very clear that there is nothing out of order in our dealing with this motion this evening, and I ask you to consider these precedents before you today in ruling the debate on this motion in order.

**The Acting Speaker:** Point of order on the same point? Member for Windsor-St Clair.

**Mr Duncan:** In those cases referenced by the chief government whip, those are done in circumstances where there is unanimous consent. There is not unanimous consent on this point tonight. Indeed, I should stress that there is anything but unanimous consent.

**The Acting Speaker:** The same point?

**Mr John Gerretsen (Kingston and the Islands):** The same point.

**The Acting Speaker:** The member for Kingston and the Islands, who was up on his feet first.

**Mr Gerretsen:** Thank you very much, Mr Speaker. On the same point, I would just like to draw your attention as well to 46(c). Although that specific clause deals with a time allocation motion, the same principle applies, so I just want to read it to you:

"A time allocation motion may not be moved until second reading debate has been completed or three sessional days of debate have taken place on second reading consideration of any government bill or on a substantive government motion when that government bill or substantive motion has been called as the first government order of the day on each of the sessional days."

The point I'm trying to make is that the rules draw no distinction between a substantive motion and a bill. All the subsections speak about both at the same time, so whatever applies to bills should apply to substantive motions as well.

**1900**

**Mr James J. Bradley (St Catharines):** On the same point of order, Mr Speaker: In support of my House leader's contention that this is out of order, it's a reasonable contention because, as the Speaker said in his ruling, "In reviewing the point of order, I have looked beyond the simple and plain meaning of standing order 46 which"—and he went on to mention other things. In other words, he looked beyond that, because he knew that when the new rules were being developed, the whole purpose of the new rules, when the government decided to relent and make its own amendments, was to ensure that the same matter of business would not be dealt with in an afternoon session and an evening session, since the evening session would be considered a completely new day for legislative purposes.

Of course, the evening session is held without a question period, without the normal orders of the day, but simply to accommodate the government's legislative schedule. In recognition of that, I want to quote the members again, because I think their points are salient and relevant to what we are dealing with this evening, as well as what we were dealing with the other night.

First of all, Mr Sampson, representing the government on June 23, 1997, on page 10943 of Hansard said, and the Speaker quoted this: "[T]his particular amendment I have put forward today will ensure that bills will not be passed any sooner than is the case today under the current rules that are governing the operation of this House. I believe that responds to the concerns that have been raised by members opposite in regard to the timely enactment of government bills."



Mr Baird, the member for Nepean at the time, went on to say, on page 10962 of Hansard: "On this amendment it was so important to be clear and up front that not only was a commitment made that no, there would be no intention that any government would want to consider a piece of legislation in two or three days, but on this issue it was so important we'll wear a belt and suspenders; we'll write it right in the rules that no, you can't do that. In my judgement, that deals with one of the biggest objections that has been made by members opposite to that change to the standing orders, to say that no, under no shape or form would you be able to go any faster on a particular piece of legislation under these standing order changes than you could before."

Clearly, when they are talking about a piece of legislation, they are talking about a piece of government business. Now, if there were consent of all parties in the House to deal with something in the afternoon and evening, that would of course be entirely different. There is not consent in this case. A substantive motion of this kind is very similar to—in fact exactly the same as—a bill, in my view. The whole idea is that the same piece of business should not be expedited by the government changing the rules to have both an afternoon and evening session count as two separate days. So exactly what the two members, Mr Sampson and Mr Baird, said applying to these rules should apply to the circumstances we face tonight.

**Mr Christopherson:** On a point of order, Mr Speaker: If I might, on the heels of the member for St Catharines, just mention a couple of parts of the quotes he used that he didn't that I think are also relevant to this.

I would again remind the Speaker that what we are tying this to is the ruling we had earlier on 46(e) of the standing orders, which says, "(e) A time allocation motion may not be moved on the same calendar day that any of the bills that are the subject of the motion have been called as government orders." Again, the reason for that is that when the government created two days out of one day, there had to be some kind of protection to ensure they couldn't just move legislation through twice as fast. You've heard the quotes.

**Hon David Turnbull (Minister of Transportation):** You didn't have two question periods when you sat in the evening before.

**Mr Christopherson:** This is not debate; it's a point of order, Minister.

You've heard the quotes from the government ministers at the time, who gave assurances of belts and suspenders etc. I would just point to other quotes that Speaker Carr referenced the other day that are now part of our Hansard record. It says:

"Standing order 46 to the standing orders was amended in August 1997. I have reviewed the debates that took place at that time and have found discussions in a number of places on this very issue; that is, the opposition's view that the 1997 changes which added evening sittings as distinct sessional days could lead to an acceleration of a bill's legislative life, creating procedural

conditions for it that it legitimately could pass more quickly than was the case before the standing order changes had been proposed.

"Responding to the concern, an amendment to both the then existing time allocation provision and to the motion then being debated to amend the standing orders was made by Mr Sampson," and then we have the quote that Mr Bradley read into the record. I won't read that again, Speaker; it's there for you to look at. However, where he ended, I would add one more paragraph for you to consider. This is Speaker Carr, speaking the other day on our point of order, which he upheld:

"It was, in my view, clearly designed," meaning the clause I've referred to that was upheld earlier, "to be a check against precisely what the government wishes to accomplish today." You will recall that what they wanted to be able to do was to time-allocate, call second reading and third reading all in one calendar day, simply by reversing the order from the way it's spelled out in the standing orders. The Speaker thankfully ruled that that little trick wasn't going to override the spirit.

Just in closing, I would finish the quote from Speaker Carr. "By proposing these changes in 1997, the government made it clear that it accepted this check and acknowledged that this is precisely what was meant in the amendment." That has now been upheld unquestionably: precedent-setting, I would say to you, in terms of what Speaker Carr said the other day.

Where we are now is whether or not, in the opinion of the Speaker, a substantive government motion is ruled by the same provisions that exist for a bill.

By saying "a bill," it could be the most unimportant bill in the world and yet it has this protection. We of course have one of the most serious substantive motions you could have before us now. What we are seeking is your ruling that the spirit of that protection against bills moving twice as fast as they could before the government created two days out of one be now extended to a substantive motion, because other than the words "bill" and "motion," it's the same situation. The government will have benefited by creating two sessional days out of one calendar day at a time when their ministers were clearly on record as saying they weren't seeking to benefit in terms of being able to move legislation twice as fast.

That is the essence of our submission to you today.

**Hon Norman W. Sterling (Minister of Inter-governmental Affairs, Government House Leader):** To mix standing order 46 with 45 is folly. Standing order 46, as I think Speaker Carr outlined yesterday, was designed to prevent a government from bringing forward a piece of legislation, a bill, in a too untimely manner, as opposed from the opposition.

So the notion, as my friend from Hamilton has talked about, in terms of a sessional day being in the afternoon and a sessional day at night, as distinguished from each other, and therefore we were prohibited from calling a bill in the afternoon and calling a bill at night.

There was a clarification of one of the standing orders, I think 46(e), the other day by Speaker Carr, that you

couldn't have a time allocation motion in the afternoon and a bill at night dealing with essentially the same subject matter.

There's nothing in 46 that deals with motions. Motions are dealt with in standing order 45. There's nothing that I can discern in the standing orders, which are very specific about what you can call or what you can't call on the same day—a bill as outlined in the standing orders—and therefore I believe that there's really no latitude on the part of the Speaker to make a ruling other than in our favour.

But the whole notion behind it is, why would the Legislature design the standing orders to curtail debate on a motion, whether it be in the afternoon or the evening or after midnight or all night or whatever? Mr Speaker, if a motion is called, the whole idea of a motion and debate is to invite members of the Legislature to come forward, make their arguments either in favour of or against a particular motion that is put forward on the floor of this Legislature, and vote on it. I don't believe the standing orders do curtail the ability of the government to call this particular motion in the afternoon or night, but there really is no logical reason why we would curtail debate on a motion that had been dealt with in the afternoon and dealt with in the evening. I think the idea of this Legislature and all legislatures and all parliaments is to allow debate, and to allow it during the normal hours that the Legislature sits.

1910

So number one is that there is no prohibition in the standing orders, nor is there any logical reason why debate should be curtailed on any motion that is brought forward in the afternoon, no reason why it should not be debated in the evening. As my friend the government whip has pointed out, we have done this in the past in terms of other motions with—

**Interjection:** Unanimous consent.

**Hon Mr Sterling:** With no unanimous consent that I'm aware of. We have called it, and the fact of the matter is that there was no unanimous consent called for or given in this Legislature for debate in the afternoon and in the evening on either the budget debate or the throne speech debate, which are both substantive debates, as the government whip has pointed out.

Mr Speaker, I think the road is clear. I think the Legislature should be free to debate this. I don't understand why the opposition would want to block debate on this very important issue, which they want to talk about and we want to hear their views on.

**The Acting Speaker:** On the same point of order, the member for Windsor-St Clair.

**Mr Duncan:** I just wanted to remind the government that when they changed the standing orders earlier this year, we took the old standing order 48 and inserted it in the "Definitions" section of the new standing orders. I want to read to you, sir, that definition of a substantive motion. It says:

"Substantive motion' means a motion that is not incidental or supplementary to any other business of the

House, but is a self-contained proposal capable of expressing a decision of the House," which we would argue is the same as a bill. The opposition is not arguing for one minute that we don't want to debate this again. We want to debate it again. We want to debate it tomorrow and we want to debate it Thursday. We would like to debate Christopher's Law tonight.

Mr Speaker, the fact is that in the old standing orders or in the new standing orders, it's very clear that for all intents and purposes a substantive motion is the same as a bill and ought to be, in the view of the official opposition, afforded the same treatment as a bill.

In addition to what Speaker Carr said in the House, I'd like to read into the record some things that the then government House leader, Mr Johnson, who was not returned to the Legislature in the last election, said with respect to the whole issue of how you spread out debate. I quote from Hansard:

"Nevertheless, the opposition parties have indicated that, technically, today it's possible to go through that process in five days. Under the procedures we have introduced, it would have been technically possible to reduce that by two days, to three days. Yes, that was true. It wasn't our intention to do that. We haven't taken advantage of that ability in the standing order procedures today. We didn't intend to do that in the procedures that we used. But we said, 'Even though we don't intend to do that, to use that short period of time, we will make it abundantly clear that that cannot happen.'"

Accordingly, based on that and based on the submissions of Speaker Carr and my colleagues from Kingston and the Islands and St Catharines, a substantive motion ought to be treated the same way as a bill and we ought to have a lot of time tomorrow, on Thursday and, frankly, I say to the government House leader, let's come back in January and talk about it some more.

**The Acting Speaker:** On the same point of order, the member for Beaches-East York.

**Ms Frances Lankin (Beaches-East York):** Mr Speaker, I intend just to make some brief comments. I want to indicate that I think it is important in the consideration of this matter that you look to Speaker Carr's ruling, and in particular the expression of an examination of the intent of the Legislature when these rules were formed. Even more important than the actual content of the ruling, although there have been some important references made to that—and I'll leave those quotes standing as they have been made by other members of the Legislature—I think his attempt to interpret the intent of the Legislature is very important.

It's like a court of law; when a law comes to it, if there is something ambiguous on the surface of it, the court of law attempts to read the intention of the Legislature at the time, and there have been times when debates in Hansard have been entered into evidence to give effect to that.

I'd like to say to the Speaker very directly that when these rule changes were being debated among the House leaders, as the then whip for our party, I took part in those debates and those discussions behind closed doors



and here in the chambers. Our objection was about the establishment of night sittings as a separate sessional day. That was clearly the change. Other members may refer to the fact that in the past, legislatures have sat in the evening. The new rules brought in by the Harris government created a separate sessional day. Our concern at the time and our objection at the time were that substantive matters, substantive questions before the Legislature—not simply bills; substantive questions before the Legislature—would be able to be accomplished in virtually half the time that had been done in the past by creating evening sittings as a new, separate sessional day.

During the course of the discussions that took place between House leaders, the government moved off that position. They gave us assurance that that wasn't their intent. We said, "Your assurance isn't good enough; we want the rules to be clear"—that, along with the words they had spoken in the House to assure members of the Legislature that it was not the intent of the government, in creating evening sittings as a second and separate sessional day, to be able to deal with substantive questions before this House any faster than they would have been able to before the evening sessions were created as a separate, second sessional day.

I think those assurances were very clear. Therefore, the intent of the Legislature was very clear. The intent of the rules and the spirit of the rules should be very clear. The way in which Speaker Carr looked to the intent and the spirit of the rules should be a guiding factor in this Speaker's deliberations as well.

**The Acting Speaker:** On the same point, the chief government whip.

**Hon Mr Klees:** Speaker, not to belabour this point, but I want to draw your attention to the fact that all of the comments that have been made to you by the opposition members have referenced time allocation motions. I submit to you that that is not what this is about. In fact, we're suggesting not to allocate time here. By the way, we're not arguing about the substantiveness of this motion either. We are agreeing that this is a substantive motion, which is why we are saying to you that we believe it's important that the members of this place have an opportunity to debate it. We're putting it forward for further debate.

The fact of the matter remains that members opposite are saying, and you've heard the references to, "It ought to be considered the same as ...." "Ought to, ought to, ought to." Regardless of what members think it ought to be, I suggest to you, Speaker, that your responsibility in this matter is to rule on the basis of the existing standing orders: not what members think the standing orders should say, but what the standing orders do say on this issue.

We submit to you that based on the existing standing orders, there is a difference in terms of how bills are to be treated and how motions are to be treated. We are not for one minute suggesting here that debate should be restricted. We're suggesting that debate should in fact continue. The member opposite from Broadview-

Greenwood, in her earlier debate, made reference to the fact that when debate resumes this evening she would have certain other things to say, and I suggest we allow her to say them. She was anticipating to carry on this debate. We would like to give her the opportunity to do so.

I ask you, Speaker, based on the existing standing orders, to rule this motion in order.

**Mr Christopherson:** Point of order.

**The Acting Speaker:** We've gone around at least three times now.

**Mr Christopherson:** Mr Speaker, the government House leader put forward something that is inaccurate. It's a very important part. The government House leader said—it will only take me 30 seconds to do this—that section 46 makes no reference to motions, that all motions are covered under section 45. This is inaccurate.

Section 46(d) says—I'll read it and then sit down, Speaker—"A time allocation motion may not be moved until second reading debate has been completed or three sessional days of debate have taken place on second reading consideration of any government bill or on a substantive government motion"—which of course the chief government whip has just admitted we are dealing with here—"when that government bill or substantive motion has been called as the first government order of the day on each of the sessional days."

My point is that this is the second example I've raised for you, Speaker, where they are interchangeable, and to point out that the government House leader's point that section 46 contains no reference to motions is not only inaccurate, it actually speaks to "substantive government motions," which the chief government whip has just admitted is what's before us today.

**The Acting Speaker:** I've heard enough. We've been around. We've heard from two or three speakers from each caucus. We're going to take a recess of some 10 minutes to consider adequately and seriously the points that have been put, and we will return.

*The House recessed from 1921 to 1931.*

**The Speaker (Hon Gary Carr):** I want to thank all the members for their participation, the House leader, the official opposition and the third party, in seeking my guidance on the question of government notice—

**Mr Bradley:** Were you watching on TV?

**The Speaker:** As a matter of fact, I was watching on TV—during both the afternoon and evening sessions. The government House leader, the deputy government House leader and the member for Beaches-East York also made submissions. I thank all the members for the comments.

This House is meeting tonight as a result of a motion moved by Mr Sterling during routine proceedings, which said that "pursuant to standing order 9(c)(ii), the House shall meet from 6:45 pm to midnight on Tuesday, December 21, 1999, for the purpose of considering government business."

Standing order 9, which places the conditions on the business that can be considered during evening meetings

such as tonight's, states: "Evening meetings held under subclauses (i) or (ii) shall be limited to the consideration of government orders or private members' public business or both, according to the terms of the motion, but no government bill shall be called on more than one sessional day during a single sitting day."

The motion authorizing tonight's meeting clearly specified that the House would consider business as a result of government notice of motion 30 being called. In my view, this order is properly before the House at this time. The limitation of standing order 9 on considering the same business in both the afternoon and evening sessions explicitly applies only to government bills, as the standing order itself states, and not to other types of government business.

The House leaders for the official opposition and the third party referred to my ruling on Thursday. The ruling spoke to the circumstances surrounding the placement of the standing orders and the provisions. I found that there were conditions upon a clear undertaking enshrined in standing order 46(e). The ruling was based on the finding that the House accepted that no piece of legislation should make its way through the legislative process faster after those changes than it could have before the changes. I was comfortable reviewing that rationale before putting standing order 46(e) in the standing orders in 1997 since the standing orders otherwise provided no clear guidance.

In standing order 9, however, the specific exclusion of every other type of business, except government bills, can only logically mean that every other type of business is not excluded. There is a distinct procedural difference between the prohibition against debating and time-allocating a bill on the same calendar day, on the one hand, and debating a substantive government motion on two sessional days on the same calendar day. I accept the view of the opposition House leader that these two situations seem thematically similar. However, they are procedurally different and each situation is different provided for under the standing orders.

I say to the members that I hope I've been very clear in the ruling that in fact the motion will be called this evening.

Government—the member for Windsor-St Clair.

**Mr Duncan:** I move that the House be now adjourned.

**The Speaker:** I'm sorry, you don't have the floor. Government House leader.

**Hon Mr Sterling:** Mr Speaker, G30, resuming the adjourned debate.

**Clerk Assistant (Ms Deborah Deller):** Resuming the adjourned debate on government notice of motion number 30.

**Mrs Lyn McLeod (Thunder Bay-Atikokan):** On a point of order, Mr Speaker: I want to seek some clarification, based on the fact that the government whip, in the discussion of the previous points of order around whether or not this substantive motion could be considered this evening, as it was the same calendar day—and I appreciate your ruling on that. I'm not challenging it at all, but I

do want some affirmation of the statement that was made by the chief government whip when he said that the government considers this to be a substantive motion.

As I understand it, and I just want to clarify so we don't have long, detailed points-of-order debate during the course of the remaining debate on this particular motion, a time allocation motion therefore could not be moved without there being three sessional days of debate on this motion because it is a substantive motion. May I seek your ruling on that?

**The Speaker:** If time allocation was moved, the Speaker at that time would have to rule on that particular situation. Being what I consider to be a rather substantial motion, there would need be, I would consider, lengthy debate on that. If in fact that does happen and it is a theoretical situation that does come up, the Speaker will have to deal with that at that particular time.

The member for Broadview-Greenwood I believe had the floor.

**Ms Marilyn Churley (Broadview-Greenwood):** I'll pick up where I left off. I was explaining to the government members the difference in this very partisan political appointment to this position, which requires the utmost scrutiny in terms of non-partisanship and non-involvement with a political party.

If I might, I want to read from the internal document from the Environmental Commissioner of Ontario Polices and Procedures Manual. Section 7(2): "The high conflict-of-interest threshold is more stringent for the offices of the provincial Legislature such as the Environmental Commissioner which performs an independent review of the provincial government.

"ECO employees must not participate in activities that might identify them as members or supporters of a political party. The following are examples of prohibited political activities: ...

"(3) Party riding association director or executive member."

For heaven's sake, if that applies to the employee, surely it must apply to the commissioner.

Let me again read to you from the Environmental Commissioner background paper, Independence, Accountability and Transparency: The role of the Environmental Commissioner of Ontario: "The independence of the office requires that the commissioner be sworn to impartiality. The legislative history of the EBR with respect to the role of the Environmental Commissioner makes it clear that he or she is intended to ensure that the government be held accountable for its decisions under the act.

"Independence is a vital feature of the ECO's effectiveness, not only for objective oversight but especially for reviewing the implementation of and compliance with the EBR. In particular, the ECO's position is independent of the party in power and its impartiality cannot be compromised by pressure from non-statutory consideration such as political pressure, potential reprisals or interference."



If nothing else can convince the government that this appointment is wrong and inappropriate—it's absolutely disgusting that they could do this in such an important position.

Other members who sat on the committee, specifically government members, spoke at great length about the committee process. I'm going to take some time doing that. I was there for practically every moment of those committee hearings.

1940

I want to start by saying that the government House leader says we went through a public process agreed to by all three parties. This is not the fact, and I pointed out earlier that originally we were promised a truly non-partisan process by the government House leader. I presume the Premier's office said: "No. We've got a candidate we want to appoint. Shut that down and go to a government-stacked standing committee so we can get our guy in." We had no choice. There was a gun to our head. I participated in that process and did the best I could to make sure that the process was fair and above-board. But it became very clear from day one that the fix was in.

It's interesting. When the member for Halton, who was the member from the government on that committee, spoke tonight he made a very interesting Freudian slip. He was talking about "the committee" this and "the committee" that and the candidates, and all of a sudden he said something like, "Our candidate got top marks," and then he corrected himself, "the committee candidate." That summed it up right there when he said, "Our candidate got top marks." He made a slip. If there was any doubt in anybody's mind, which there shouldn't have been, right there in that little Freudian slip he made it very clear that "our," meaning the government candidate, got top marks.

I am going to tell you about what else happened in that committee. A member from human resources was involved in the committee process and took all 71 applications and rated them according to a special formula and very scientific criteria. The member for York North talked about "the committee" this and "the committee" that, and "We decided to go with a second set of criteria." Well, I want to make it clear that it was I who came to the committee and pointed out that the criteria were very scientific, technically based, and didn't take into account many other factors that are important for this role.

The committee did ultimately agree with me; I give them credit for that, although they knew that they could go through that process again and still have their guy win at the end of the day because they have the majority. But they did allow that second set of criteria to be adopted by the committee after I put it forward. We settled on some new criteria together as the committee. Human resources went away and did a lot of work and came back after applying the new criteria with a different—although there were some of the same names, some of the other very qualified people who had been left off before were now

floated to the top as a result of that. That's what happened there.

After that, all of the committee, I presume—I know I did—spent many hours poring over some of the resumé. I have to tell you that one of the Tory members insisted on seeing all 71 resumé, so we agreed that all the committee could look at those resumé. We looked at them. We went back into the committee and that particular Tory member said he had a couple of candidates that he would like to see on the short list. When we asked him who those might be, he told us—I'm not going to mention names here. With regard to one of them, I said, "I didn't even see that name," and he gave the name of this particular candidate. I looked her up and she was rated number 61 out of 71. I looked at her resumé, and guess what her main criterion was? She had been a PC candidate in the last election.

This member from the Tory side of the committee wanted her brought in to be interviewed, to jump ahead of a whole bunch of others who were rated much higher than her. I said: "Look, I'm going to lay my cards on the table here. If this person is called in for an interview, then I'm going to tell you that I walk out of this process right now." There was a quick Tory huddle: "Let's have a five-minute break." They came back and withdrew the name, because they knew, of course, that this would be a scandal. But of course they also knew that they had another Tory candidate who was near the top so they could afford to withdraw her, and they did withdraw her. This is true; that happened. It was just appalling.

We got through that and we agreed to interview 11 people. Mr Gord Miller was in that group, and so were other people, people with incredible qualifications, even in the top 11. We interviewed all of those people, including Mr Miller. The committee agreed on a number of set questions that all of the applicants would be asked and that we would go around in rotation. That's what we did—not rotation by party but by individual. We went strictly around in rotation and asked a specific question. There was no room for supplementaries. We couldn't ask specific things about people's resumé. It was a strict set of questions. That was done. At no time when I looked at Mr Miller's resumé—and I have to give credit to the woman who didn't get on the short list, number 61 out of 71 in the ratings. She at least came clean and admitted her political connections in her resumé. I made it clear that why I was objecting to her being on the short list was not because she was a political Tory candidate—I appreciated the fact that she admitted that—but because she rated 61 out of 71. Mr Miller did not in any way mention his political connections, so after the first interview there was no indication whatsoever that he was connected to the Tory party.

**Mr Bradley:** On a point of order, Mr Speaker: This is totally contrary to what the member for Halton said. Do you mean that the person never identified himself as a Conservative?

**The Acting Speaker (Mr Tony Martin):** That's not a point of order.

**Ms Churley:** There was no indication whatsoever in that first round of interviews.

It became clear to me; I knew the fix was in and that this was the candidate. I could tell by the demeanour. Some of the members were like open books; I could tell as soon as Mr Miller walked in the door that he was the preferred candidate, so I left that committee meeting after those interviews and I started to do a little digging. What did I find out? I found out that Mr Miller, in North Bay and other areas, had been the candidate, not once but twice, for the Tory party, in 1995 in Cochrane South for the Mike Harris regime and in 1997 as a Tory candidate federally in Nipissing. That was not alluded to in any way. So I went back into the committee, when we had shortlisted four—actually, I believe there were six; two dropped out—and sat down and said, “Look, we’ve got to have the opportunity to ask this candidate questions about his political background.”

#### *Interjections.*

**The Acting Speaker:** The member from Brampton will stop it or he will be named.

**Ms Churley:** At first the Tory members on the committee objected to this. They didn’t like the idea that I wanted to ask this question. The person there from human resources said it was quite legitimate to ask, under those circumstances, for this particular position. So after another little huddle they agreed that we could ask, but only if all the shortlisted candidates would be asked the same question. I said, “Fine, no problem,” and in fact they all were asked and the other three shortlisted candidates didn’t have any political connections and had never run for a political party.

Mr Miller was the third person to be interviewed that day. He came in and it had been agreed that the only question that could be asked—again it was set for all the members of the committee; no supplementary—was, had he run for political office? That question was put to him, and when put to him—I must say I thought he was well prepared for the question—he actually said yes, he did, he had run twice and that was the end of it. I wanted to ask a supplementary, because I figured if he had run politically and hadn’t disclosed it before that there might be some more political connections there, but I was not given the opportunity to ask and he didn’t disclose.

So I left that meeting thinking that because I didn’t have the opportunity to ask a supplementary question, I would do a little bit more digging. Lo and behold, I find out that what Mr Miller did not disclose when he had the perfect opportunity to disclose it—I mean, even though I couldn’t ask a supplementary, it was pretty clear what I was getting at here. There was no confusion about that. That was the time and the opportunity for him to come clean with the committee so we could ask him very direct questions. That’s all I wanted, was the opportunity for him to come clean so we could say to him: “Look, there’s a concern here, Mr Miller. Try to prove to us that you can be non-partisan.” I did not have the opportunity to do that.

#### **1950**

The Tories all acted surprised: “We didn’t know.” You have candidate schools and everything, don’t you? You never met Mr Miller? I believe he auctioned off John Snobelen’s pants when John took his pants off at a fundraiser. Give me a break. The Tory members didn’t know this? But they also tried to imply that it wasn’t important, that it was irrelevant.

Some of the resumé’s, one in particular—and again I won’t mention the name—had written in in pencil by human resources, because they knew this, “Liberal connections,” and what those Liberal connections were, so we all could look at that resumé and know. I saw that and thought, “Well, forget him, because they know he’s a Liberal.” But it was there, and it was very clear that human resources also did not have this information about Mr Miller.

After we had decided at the committee that this question could be asked, Mr Miller also came in with references, although he’d been asked to give references before, but suddenly, with new ones, three new names passed out to the committee members. Before, those references had been given just to human resources, because we had agreed as a committee that they would be doing the checking of references. All of a sudden—surprise, surprise—after one of the Tory members on the committee disappears for a while, Mr Miller comes in with three new references, with a little note attached to show how impartial he was. Well, human resources took that back.

That is the chronology of what happened and how it came about that the committee discovered that he in fact had—now, I say the committee; well, I mean the opposition. I got Mr Miller to disclose. But he did not disclose the fact that he was the president of the Tory party in Nipissing, the Premier’s riding. I phoned him and asked him directly. I just thought I’d pick up the phone and ask Mr Miller, and he said yes. To my surprise, he didn’t say, “I was the president”; he said, “I am the president.” He was still the president. After going through this—

**Interjection:** President of what?

**Ms Churley:** Of the riding association in the Premier’s riding, the PC riding association. He hadn’t even stepped down. I know that he stepped down shortly after that, when it became clear—I assume that when he knew this was going to be a problem, there were talks with the Premier’s office about what to do about this problem and suddenly he stepped down. This is pretty sordid stuff.

I have said clearly, time and time again, that I have no problem, in many situations, with political appointments. I will say again that if you want to appoint Mr Miller in some position that is designed to go out and talk about government programs and implement government programs, that’s fine. You do it all the time. We don’t like some of those appointments but we don’t tell you that you do not have the right to do it. You guys still don’t get it.

Let me tell you something. Let me bring up Mr Norm Seabrook. I’m sure my good friend Bill Murdoch from



Bruce-Grey will remember when the Tories pushed Norm Seabrook through the appointments committee to go on to the Niagara Escarpment Commission. Here was a guy who had already said publicly that he thought the Niagara Escarpment Commission should be disbanded. I was at that committee. I went and argued and said, "We can't put this guy on." They put him on anyway. Well, guess what? In a few months he disgraced himself by making a racist comment on that commission and he was thrown off.

I'm going to tell the government members tonight who are saying: "What's the problem here? We appoint political positions all the time. Don't worry about it; there's no difference from an Andy Brandt—"

**Mr Ted Arnott (Waterloo-Wellington):** You appointed Andy Brandt.

**Ms Churley:** They just don't get it, but I can tell you now that this is going to cause you trouble. The member for Wellington, of all people, should know better, because you generally get this kind of stuff.

The problem is that they're laughing about this. They're laughing. I can tell you right now that down the road this appointment is going to cause—and believe me, it is on track, because there is a pattern here. It came to our attention just very recently—this is scandalous—that the Premier, the government of Ontario, is holding up a judge's appointment or several appointments in North Bay, in his riding, because he's trying to get a friend of his appointed. It hasn't happened yet, so for six months they haven't had enough judges there. There's supposed to be an independent process, which was put in in 1989, and suddenly we've now got another Tory appointment.

*Interjection.*

**The Acting Speaker:** The member for Bruce-Grey will cease and desist.

*Interjection.*

**The Acting Speaker:** The member for Bruce-Grey will stop or be named.

**Ms Churley:** This is a general pattern in this government. No other government before has done this. No other government before has been this blatant in its political appointments in positions that are supposed to be totally arm's-length from the government. This is a really slippery slope that we've already gone down here. Mark my words, this will come back to haunt them. If they do manage to get this through—and I recommend that they don't—it will come back to haunt them.

After the committee made the decision—the members like to say that I'm just mad because I didn't get my way on this. There were three other candidates, one of whom gave me permission to use his name: John Swaigen—incredible credentials, absolutely incredible, with no political involvement. There were two others and I don't have that permission from them. But what I offered the committee was: "Look, we generally compromise. We were able to do it in the last Legislature. Wouldn't it be nice if we could reach a consensus here? I am willing to go with any of the three candidates. Let's have a discussion here to see if we can reach a compromise." What troubled me was that they wouldn't even enter into

was that they wouldn't even enter into a discussion, not even a discussion about the possibility. The heavy hand of the government came down.

I decided to whistle-blow. I decided that enough of this had gone on behind closed doors, in secret, where we had majority government members appointing somebody who is this closely connected to the Premier and the Tory government and trying to hide it. Yes, that made me mad. That made me really mad, that they tried to hide it. I'm still mad about that. Everybody should be mad about that.

That is not being above-board. This was an important process and we could have at least discussed a compromise.

I've got a motion in that the government refused to debate today, asking the committee to go back. I'd prefer to have the offer made again to clean up this sort of mess we're in here now, to clean it up and to have a truly non-partisan committee make a decision. I know the government isn't going to allow that, so what I've asked is that we at least let this committee go back and try again, to do it right this time and to find somebody that we can all live with. Clearly, it is not possible—he does not have my confidence; he does not have the confidence of many, and I could even guess of most, in the environmental community.

But I would think that those from industry who were very involved in setting up the Environmental Commissioner role and the EBR, very involved—it was multi-stakeholder, from all walks. Industry, environmentalists, lawyers, politicians, came together and worked very hard under Ruth Grier and then under Bud Wildman to set this environmental commission up. I would expect that some in industry are not very happy about this, because we now have a commissioner whom people will not have faith in, will not believe that his reports are completely neutral.

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It's absolutely critical that we be given an opportunity to revisit this. The Tory members can't go on pretending that this isn't a problem. It is a problem.

I would ask that the members of the government stop laughing about this, stop chuckling about it, and take into account what I've said tonight about what happened at that committee. Take into account what happened with Mr Seabrook. Take into account what's happening in North Bay right now. Take into account, overall, the reputation the government is fast getting around these appointments. This is a way out here.

Some from the government complained that I was breaking committee confidentiality. I would say I didn't do that. Mr Miller had been offered the job. I talked to somebody from human resources, and that had been done. The others who didn't win had been told. The reason I blew the whistle on this—and that's what it was—was to alert the community to what was happening here so we'd have a little bit of a fighting chance to do something about it. The government members complained that I had leaked committee confidentiality. To my surprise, then, a letter arrived—remember the letter—

from the member for Halton, Mr Chudleigh, written to Minister Sterling, Mr Duncan and Mr Christopherson, in which he talks about quite a few things that happened in committee. I'm going to read you parts of this letter. It's quite interesting. He says:

"Dear Mr Sterling, Mr Duncan and Mr Christopherson,

"In recent days there has been a tremendous amount of media attention and speculation on the general government committee's consideration of applications for the position of Environmental Commissioner. This speculation has been driven in large part by an unprecedented and utterly inappropriate disclosure of information, much of it inaccurate, regarding the committee's review process by one of the committee members, Marilyn Churley. In the wake of this inappropriate disclosure, I thought I would take the opportunity to provide the three of you with the actual facts associated with our committee's consideration and a review of applications for the commissioner's position.

"You know the application review process Ms Churley has criticized was endorsed by all three party House leaders"—which it wasn't; the gun was to our head and we had no choice—"and it copies exactly the process used by Ms Churley's" blah, blah, blah.

He then goes on later to say: "Despite all this, Ms Churley justified her disruption of a confidential hiring process by alleging that the process was unfair and that Mr Miller had 'hidden' previous political experiences. This is an odd allegation, given that the Environmental Commissioner is a professional position." I don't understand what that means.

Earlier, he was talking about my "preferred candidate."

He then says: "As you know, professionals rarely outline political activities on their professional resumés. In fact it is illegal to ask for information on a candidate's political preferences without reasonable cause." I think we had reasonable cause here. "The Legislative Assembly's ad did not suggest that such information should have to be provided and"—get this—"when Ms Churley did ask questions about Mr Miller's political experience, he immediately replied with total candour." He didn't. He didn't disclose all the facts about his political involvement.

Then Mr Chudleigh goes on to say: "That said, Mr Miller's political resumé is irrelevant to his candidacy for this position. What is relevant is that Mr Miller received very high or the highest rankings by the non-partisan staff of the Legislature, from the committee during the scoring phase, and from every MPP, regardless of political stripe, with the exception of Ms Churley, up to the final selection process."

He added: "I hope this Legislature and its members can, with your co-operation, find some way to extract"—extract: visions of hot lights—"from Ms Churley the apology that Mr Miller deserves. Without it, any qualified professional may have serious reservations about

applying in confidence for a position with our assembly in the future."

I would say quite a bit that happened in that committee is revealed in this letter written by a member on the committee, the member for Halton.

**Mr Peter Kormos (Niagara Centre):** So who was it who supported Miller?

**Ms Churley:** You know, I don't think I'm going to get into that tonight. I think I've said enough. The letter stands on its own.

The issue here is that this letter—and as you know, Mr Speaker, I've raised it as a point of privilege. I'm hoping that the Speaker will rule on this if we should indeed be back here tomorrow. I'm asking that there be some sanction around this letter, particularly given the fact that the member for Halton actually revealed more about what happened in the committee than I did.

So where are we now? We've got a Premier whose reputation is at stake, really at stake, over the appointment of Ontario's new Environmental Commissioner.

Let me make very clear here that there were highly qualified people who had applied for this job, who were shortlisted out of the 11 and who were on the final short list of the four. It was very clear that my time was wasted. I get paid to do this. Yes, it took away from time in my constituency and other things that I might be doing, and I hope people will understand. But the real waste of time was for those people, those applicants who came forward in good faith to apply for this job, and let's face it, they didn't stand a chance. They worked hard. They came prepared. They answered our questions. Some of them came back for a second interview. The fix was in from day one, when we could have used this as an opportunity to come together and reach a consensus on something as important as appointing the Environmental Commissioner to this province.

I feel strongly about this. I came to politics as an environmentalist. I was an environmental activist in my community for a number of years. I was the executive director of the Canadian Environmental Defence Fund when Mr Bradley, the member for St Catharines, was then the Minister of the Environment, and we needed some money to get some things done. I believe I sat outside Mr Bradley's office every day for days and weeks on end, making sure we got that money. We succeeded. We got it in the end, didn't we, Mr Bradley?

I have a huge commitment to environmental protection in this province and I believe that most of the people of the province have a huge commitment to environmental protection in this province. That is why this debate is so important tonight. To even have this coming forward is a problem, but to bring in closure tonight, when the fix is in that the government is determined to pass this, and we know it, but to not at least give people the opportunity—every member in this House who wants to speak to it should have the opportunity to speak.

**2010**

I would say to government members, because I would expect—I don't know when you're going to do it—that



somebody is going to stand up tonight and ask for closure on this: You won the point of order, and I'm sorry that happened, because it was a legitimate point of order, but I am really disgusted and outraged by what is going on here, when we're talking about something as important as the protection of the environment in this province.

I got worried about this position back in August. Remember back in August, when Mr Clement, the Minister of the Environment, came forward and started musing out loud about getting rid of the Environmental Commissioner? There were musings out loud that perhaps the Ombudsman might do that job. There was real concern expressed in the community and they backed down on it, but I have to tell you, from the moment the Minister of the Environment started musing about getting rid of that position, I was worried. This is the second-best choice. This is the beginning of the demise of the Environmental Commissioner's role. They didn't have the guts, the courage—that's a good thing—right now to get rid of it, but they said: "OK, we can't just wipe it out right now. We'll just put a lapdog in there. We'll just find a good Tory, a good friend of the Premier, who will go in there and just do what we tell him to do." That's what they decided.

It's a real shame when we have had, over the past few years, report after report after report. I could have brought in a stack this high—I didn't bring them all in—from all kinds of independent sources across Ontario, one of which was the consistent and constant reports from the Environmental Commissioner's office. In these reports she's doing her job. She outlines the problems from the cuts and deregulation that this government has done to the Ministry of the Environment across this province. She has outlined it very specifically. She did not go outside the bounds of the rules and her role and the legislation here. She courageously did her job.

I do want to take this opportunity tonight to thank Ms Ligeti for the work that she did, because what she did was her job. It was her job. That's the role of the commissioner, and that is of course why they don't want a commissioner in place who will do the job, because they're planning on more cuts. There's almost no more Ministry of the Environment. There are so few front-line workers there now, there are so few people working in the ministry, we don't even know what's going on any more. There's nobody out there to inspect, to enforce, to tell us what's going on. We just had another fire in Hamilton, after Plastimet. The member for Hamilton West has been trying, along with our caucus, to get an independent inquiry into the Plastimet fire since it happened. The government refuses to do so, and just recently—

**Mr Christopherson:** The Environmental Commissioner supported that there ought to be one.

**Ms Churley:** The Environmental Commissioner supported that there ought to be one. That's exactly my point.

Those are the kinds of things—hazardous waste, air pollution, water pollution. We're talking about vital things here. The air we breathe and the water we drink

and the food we eat are being polluted. I think everybody here knows, or most people know by now, that my little six-year-old grandson—he was then five—a few months ago, we nearly lost him. He had a catastrophic asthma attack and was rushed to hospital. He had stopped breathing. It's by a series of good luck that he survived. I wish I had taken a picture, because he would have been a poster boy for—you know when we all talk about asthma and kids dying? This little boy was lying in a hospital bed for a week hooked up to every machine conceivable. I saw on the face of my own grandson what an asthma attack means. When we talk about kids getting asthma, getting sick and dying, I know what that means now. How do you think I'm going to feel on the next bad air day here? How do you think my daughter, his mother, is going to feel?

I want to know that we have a watchdog in place who is going to hold this government accountable. That's what this is about. It's about protecting our environment and it's about protecting our health. This is one area that's too important for the government to play this kind of partisan politics with, to stack a committee and get one of their own in so that I have no confidence that the Environmental Commissioner is going to do his job and alert the government and the public to the fact that they're not doing enough about air pollution, to the fact that the Planning Act has been dismantled so there's more and more urban sprawl, to the fact that public transportation is no longer being funded in the way it used to be. I believe we're the only jurisdiction now in North America where the provincial level of government, a senior level of government, does not fund public transportation in major urban centres.

To watch this government dismantle over and over, to bring us backwards instead of forwards—this is all stuff that has been documented not only by the Environmental Commissioner but by others. But the Environmental Commissioner's role is really critical. Yes, there are others out there—CELA, the Ontario Medical Association and all kinds of others—doing all kinds of important work. But this is a very special position. It was started many years ago by Ruth Grier. I believe she brought a private member's bill years ago when she was in opposition, and then when we became the government she worked very hard with multi stakeholder groups to come to a consensus about what the EBR, the environmental registry and the commissioner's office would look like.

If you take a look at the task force that came up with the final submission on the Environmental Bill of Rights and the commissioner, it's very interesting. We had on that committee Robert Anderson from the Business Council on National Issues; Rick Lindgren, Canadian Environmental Law Association—I know the government really hates the Canadian Environmental Law Association; in fact, if that showed up on any resumé, it was the kiss of death; that was a problem in itself—Andrew Roman; Michael Cochrane, co-chair; George Howse, the Canadian Manufacturers' Association; John

Macnamara, Ontario Chamber of Commerce; Paul Muldoon, Pollution Probe; Sally Marin—it's hard to read this—Ministry of the Environment; and Richard Dicerni, who was the deputy minister of that ministry at the time. These are the people, including all kinds of other people, again multi stakeholders, not just from the environmental community but from industrial sources as well, a wide spectrum of people involved in this, who came forward with this.

It was lauded in this House. I have the Hansard. Eva Ligeti was sitting right over there and was applauded by all members of the House. A consensus had been reached and everybody agreed to her appointment and thought it was a good thing. That was an incredible model of how we should do things around here when it comes to something as important as environmental protection. Now that's all gone because this government wanted to stop independent review of their pitiful record on the environment.

I can't tell you how disgusted I am and how upset I am about this. I sat on that committee day after day and I watched this happen. I did everything I could, as one member representing the NDP, to try to bring all the information I could to that committee level to try to influence the decision-making there. Perhaps it was foolish of me to even try, but I tried. It didn't work.

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I would appeal to the government tonight—well, that's a waste of time, isn't it, Mr Speaker? But there is an opportunity to save a little face here. There's a little opportunity, a small one, to agree with us tonight and say that this appointment should not go through. It is an absolute disgrace. The fact that they can't see that is really alarming to me.

*Interjections.*

**Ms Churley:** They're making fun of me, Mr Speaker, as I stand here talking about this, that we're making a terrible mistake here tonight by appointing the Premier's friend, a just recently stepped-down president of the Tory riding association in Nipissing, twice a candidate for the Tory party and somebody who didn't disclose that until pressed and then only disclosed half of it. What more do we have to say to get through to you people that this is straight wrong?

I'm getting a little bit of angry comebacks over there, Mr Speaker. I think there is a little bit of sensitivity to what they're doing, especially from some of the longer-term members like the Minister of Consumer and Commercial Relations, who should know better and I think deep down does know that what you're doing is wrong, but you have your own agenda, don't you? Your agenda is to bury the fact that you have the second-worst environmental record in North America, to bury the fact that you've cut and cut and deregulated and privatized and will be doing more of that, to bury the fact that you have brought environmental protection in this province back by—what?—20 or 30 years, you've reduced standards so much.

Successive governments before you of all three party stripes had improved—some better than others. I would say ours did a pretty good job. That is what is so sad about this. The Environmental Commissioner's office and the EBR, the registry, have been lauded as the most environmentally significant action taken in this province in over 20 years. Many, many people said that. When the NDP brought this in, we were lauded, I think, even internationally. It is such a shame to sit here and watch this government with the stroke of a pen dismantle the work that so many people did.

Let me tell you, if they get this passed tonight or tomorrow, it's not the end. It is absolutely not the end, because they're going to be sorry that they ever appointed—

*Interjections:* Five, four, three, two—

**Ms Churley:** You're a disgrace. You're all an absolute disgrace.

**The Acting Speaker (Mr Michael A. Brown):** Further debate?

**Mr Joseph Spina (Brampton Centre):** It's my pleasure to take a few minutes tonight. I'll be sharing my time with the member from Oshawa, Mr Ouellette, who actually sat on the committee as well.

I listened with interest and with, I think, some fair degree of attention to Ms Churley's comments. I don't think anyone could ever question your sincerity, Madam Member, because you truly are committed to your cause and no one can criticize you for that. However, we want to look at the process, the responsibility and the role of this commissioner.

What I thought was interesting was that we had, as a government, I think among the House leaders, wanted to ensure the objectivity of this appointment, and rather than taking the process that was done when Ms Ligeti was hired in 1994—essentially they had about 30 minutes of debate. This was a new position, and the debate was really centred around the position and not the candidate. I thought that was interesting. Where the candidate's name came forward seems to be fairly vague at this point. However, they had this all-party committee that selected applicants and they decided and then they debated around a report. There was not the objectivity, seemingly, of the Legislative Assembly's human resources department.

What happened this time? Ads were placed in the newspapers and the public at large was invited to compete. Over 70 applications were sent in. They were screened and scored by the Legislative Assembly human resources department with some recommendations that were made before the committee even saw that list of candidates. That's the process, and I'm going to let my colleague describe that, as an individual who was involved in that, with much greater detail.

But I kind of wondered why, if Ms Ligeti was really that committed and quite interested in still being the commissioner, she didn't apply.

*Interjections.*

**Mr Spina:** Did she apply? She applied. OK, she applied and obviously she didn't make it up the list. Fine.



The opposition makes it sound as if the environmental laws of this province are gone and only the commissioner has the power and the authority to be able to determine whether or not the environment in this province will function. Is the commissioner God? Clearly not. The commissioner cannot be.

Let's look at the advertisement that was created for this position, and I quote: "Applications are invited from residents of Ontario for the position of Environmental Commissioner. As an officer of the assembly, the commissioner reviews the implementation of the Environmental Bill of Rights and compliance in ministries; at the request of ministries, provides guidance to ministries on how to comply with the requirements of the act." In other words, the act is still there.

Further, the commissioner "assists ministries in providing educational programs about the act;"—clearly, the act is still there—"reviews the receipt, handling and disposition of applications for review by Ontario residents of environmental policies and regulations made by various ministries; and reports annually to the Legislative Assembly on the commissioner's activities." Not what's happening out in the field but the commissioner's activities.

I just thought it was very interesting that they make it sound as if the responsibility of this position is the be-all and end-all of the environmental control in this province. The reality is that we have the environmental act in place, we have the Environmental Bill of Rights in place, and therefore it is only the role of the commissioner to ensure that the ministries are complying, to advise them, to assist them in programs where they are attempting to comply with the rules and regulations of the act.

They've spent much time attacking the candidate who was finally chosen. They eliminate one little thing. You see, he ran twice as a Tory candidate. It's kind of tough to run as a Tory candidate in the riding of Nipissing provincially when you already have a member sitting there. They deftly avoid the fact that this man ran federally. This party is not the government or the party of Brian Mulroney. It is not the party of Kim Campbell. It is not even the party of Bill Davis. It is the party of Mike Harris, and that is the reality. If this man chose to run in the past, that was his prerogative, that was his right. He didn't plan at that time, I would not think, to run as the Environmental Commissioner. If he was very conscious of that goal, then perhaps he would have thought twice about running politically.

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The reality is that so many people who are involved in the issues of government run for political office. They run for opportunities to sit on riding associations. They do all kinds of things.

*Interjection.*

**The Acting Speaker:** The member for Niagara Centre will take his seat.

**Mr Kormos:** Joe, do you have to practise being stupid or does it come naturally?

**Mr Spina:** On a point of privilege, Mr Speaker: I would ask that the member withdraw that.

**The Acting Speaker:** The member for Niagara Centre should come to order. I think you should withdraw that last comment.

**Mr Kormos:** He doesn't have to file the notice. I withdraw it.

**The Acting Speaker:** I didn't hear.

**Mr Kormos:** Withdraw.

**Mr Spina:** Frankly, Speaker, the degree of respect that some people have for the other members in this Legislature is unbelievable. However, it goes all the way around.

The reality is that anybody who becomes involved in government issues has the opportunity to become involved in government issues in many different ways. You cannot predict as an individual that you're going to be running for an independent position five or 10 years from now.

I may be running for an independent position 10 years from now, perhaps, after I'm out of office, voluntarily or not. However, at this point I am doing what I feel is right in fulfilling my responsibilities in running for my riding of Brampton Centre and trying to represent the people of my community and, furthermore, trying to do the best job that I can as an elected member for my community. I'm not worried or thinking about whether I should be careful about this or that because in 10 years' time I am going to run for a position. That's nonsense.

Now you have an individual who comes forward, who has paramount qualifications, unparalleled qualifications, even to the recommendation of the legislative human resource committee in their recommendation to the committee. I'm wondering now, where are they coming from? This was a far more objective process than has ever been implemented in the history of this particular position and in many other positions in modern times.

We have no problem in supporting the appointment of Mr Miller with the qualifications that he has, regardless of the background.

I defer to the member from Oshawa.

**Mr Jerry J. Ouellette (Oshawa):** Just to give Mr Bradley something to speak about, we'll bring a little bit of something different to the chamber before we start into our speech. We put together a little something for all members tonight.

Away in the chamber the members do sit,  
parlaying with jabs with somewhat of a wit.

The questions are vast but the answers are sparse,  
as the opposition operate with a comical farce.

We in the backbench there in a row,  
awaiting the opportunity like flowers to grow.

The pages are scurrying all painted in black,  
with trays of good cheer awaiting to go back.

Back to the halls of learned things  
and speak of the Legislature and varying things.

The chamber, the chamber, as it sits so grand,  
wondering and deciding the fate of our land.

The table it sits so far down below,  
dividing two sword lengths and those in the no.  
Its members with thought it is that they think,  
directing the Chair like a goaler of a rink.  
The sound is directed from far overhead  
to us below with somewhat of a dread.  
The dread is a fear of time that spurs on,  
as it's home for Christmas they wish to be gone.  
And it's closure, it's closure that many of us wish,  
being just as concerned with our families' wish.  
So to all in the chamber sitting with care,  
dream of Christmas, Christmas and how to be there.  
They had to get it on just a little bit. They asked me to do that, so I said I would.

There are a number of issues I'd like to bring forward in regard to the debate on the issue of the appointment of the Environmental Commissioner. First of all, the member from the third party, the NDP member, was in fact one of the individuals who wished to have other names put forward. When the human resources department came forward with the names, they were one of the ones who said: "We want other names on there. We've gone through all the resumé's." They had seen them all, and they wanted other names put forward as well. I was completely opposed to that. There was a large opposition to that.

When that came forward, the original names that were put forward, there were four individuals whom the human resources department had picked as the top individuals. When they picked those individuals, I might remind everybody, if they take a look at the ad, the opening statement in the ad says, "Applications are invited from residents of Ontario." It says "residents of Ontario" very clearly on that. Don't ask me why. I personally disagree with that. I think it should be the best candidate, and I believe we did pick the best candidate.

Of the four people who were picked by the human resources department to be the top individuals, two dropped out and one was not a resident of Ontario. So that left Mr Miller as the final candidate.

**Ms Churley:** What?

**Mr Ouellette:** Yes. If you review the top four and the original criteria that were established by human resources, before you and the other members of the committee decided that the criteria may not be the ones that should be established and re-established the criteria, Mr Miller was one of those.

I think one of the biggest problems here is the member and, if you read the Hansard, the fact that the member doesn't speak about Mr Miller's inability to perform the job. It is guilt by association the member speaks of. Clearly the member is more concerned with somebody being affiliated rather than their ability to perform the job. Clearly this is something that is completely wrong. Obviously the members of the NDP are very concerned with that. The entire debate by the third—

*Interjections.*

**The Acting Speaker:** The Minister of Transportation will come to order. All members realize, of course, that

only one member can speak at a time, and the member for Oshawa has the floor at this moment.

**Mr Ouellette:** The member from the NDP very clearly did not want to deal with the process or the best candidate. The entire debate she brought forward had nothing to do with ability. If people review the ability of the individual, they will come to the clear decision, as the majority of the committee did, that he was the right choice.

There were a number of other things that the member from the NDP brought forward. She talked about a scandal and that the scandal was so vast. If this individual doesn't perform adequately in the position and do a good job, guess who's going to hear about it? Don't you think we're going to hear about these things at a later date if he screws up and makes a mess?

I'm as much concerned, if not more, than some of the other people in here. I'm one of the ones who are concerned about having to goop up my kids with that UVB40 every spring and summer when they go outside and play. I find that so insulting to our community.

The program that we brought in for emission controls is a substantial move forward for cleaning up the environment. That was a move that was brought forward by this government. It reduces substantial pollutants in the atmosphere, which will help in the long range.

I am also concerned with asthma and the breathing aspects. I have two filters in my sons' rooms to make sure of the atmosphere and that there is no possibility of having breathing contaminants that can go forward. If you think about the environment, all I'm trying to do is emphasize my commitment to ensuring a healthy environment for my kids' future.

I would not be picking Mr Miller if I did not believe he was the best choice. If the member was so concerned about it, why did the member from the NDP wait until after the first interview to bring forward any concerns? I asked very clearly if there were other affiliations that could be mentioned. How do we know that the other candidates weren't part of a watchdog group or, in the concern of the NDP, members of some organization or environmentally non-friendly agency that could be working in there but had high qualifications? They've already admitted there are people in those sectors who work there. Obviously they are concerned with some of the things that are being said.

Mr Miller came forward. He was one of the final four, the first four. The advertisement clearly states, "Applications are invited from residents of Ontario." Mr Miller was a resident and is a resident of Ontario. Two of the top four declined; they had already found other positions and were no longer interested. One was a non-resident of Ontario. That left Mr Miller as the number one choice.

**2040**

Clearly, a large number of things have taken place in regard to this that should be reviewed, and we're going to try to bring those forward. I tried to get the question down, and it was the member from the NDP who specifically drafted the question, I believe. "Have you ever run



for or are you a member of a political party, and how will you maintain your independence and impartiality?" I believe that was the question.

Mr Miller answered that question very specifically. I was satisfied with his answer, and it wasn't until after that point that other affiliations with other organizations, when we were choosing the final person, came forward. Clearly it was an attempt to mark Mr Miller's name in the decision process, because Mr Miller was the best choice. That's why they were concerned. They weren't concerned with the best ability; they were concerned about association. It was guilt by association, not the best ability, that was taking place here.

**Interjection:** Did he disclose?

**Mr Ouellette:** No, as a matter of fact. The members are asking, "Did he disclose?" Well, very clearly, in the application it doesn't ask for any disclosure of that. I also think it's important that you turned down my recommendation to review other organizations that they were involved with. You did not want that to take place. When I specifically asked that, because I have some concerns about that as well, why didn't you bring forward the fact that you had some other concerns about other companies he was involved with or received funds from?

**Interjections.**

**Mr Ouellette:** I don't know that. This is the first I'm hearing—

**The Acting Speaker:** Order. This debate works much better if it's done through the Chair.

**Mr Ouellette:** Thank you. As I said a number of times, I believe that Mr Miller went through the process. I made it very clear that the ideal process is to establish the criteria, allow the HR department to review the entire process, have one person—part of the difficulty, when you're having a group of individuals, is that everybody is scoring individuals as they're coming through and being interviewed. How do you assess who is the best score in whose eyes? So we established a ranking process where everybody picked their number one choice and their number two choice to make sure the process was as fair as possible, and Mr Miller did reach through that process again.

I believe he was the best choice, and I think, as I mentioned earlier on, he will do a good job for the province. If he doesn't, I'm sure there are individuals, and I would expect not only the companies and those who are concerned with the environment but other members in opposition—that is their role, to make sure they bring to the attention of this floor that there are inequities with what is taking place and that we make sure it is in the best interests of the environment.

There were a lot of other things we discussed in the entire process, and I think the process has been discussed, as Mr Spina said. I don't really know that we need to hear it a fourth or fifth time from this side of the House, but it was very specific. The HR department established the original criteria, the questions that were asked, reviewed the resumé and established a top four recommended candidates. Mr Miller was one of those. It was

re-established with new criteria from the committee. Mr Miller was one of the top ones in that. I believe Mr Miller is the best candidate and will do a fine job; and if he doesn't, I'm hoping the other parties in the opposition will certainly bring it to the attention of not only this Legislature but the province as well.

**The Acting Speaker:** Further debate.

**Mr Gerretsen:** I think the first thing the people of Ontario ought to be aware of is that they are not watching an infomercial for the NRA, the National Rifle Association; this is the Ontario parliamentary channel they're watching, just in case there's any confusion out there at all.

I for one person don't care whether this individual was a member of the Conservative Party, the New Democratic Party or the Liberal Party. As far as I'm concerned, the fact that this debate is even taking place here is reason enough not to appoint this particular individual. It's my understanding that it has been traditional that when an officer of the Legislative Assembly has been appointed, whether it's done through the Speaker, with a committee of three people, one from each party, or whether it's done through a standing committee of the Legislature, that appointment has always come through on the basis of consensus or unanimity, because it clearly shows that all three parties in this House, and we are the people who are elected to serve our communities in this province, have full confidence in whomever was selected to take that position.

The people of Ontario should be aware of the fact that this is not a government bureaucrat, a deputy minister or somebody who's brought in in order to implement government policy. That's why I, for one, and I'm not a member of the committee, have been quite surprised that the human resources department was even involved in this. It is not a bureaucrat we were in the process of hiring; it is an officer of this Legislative Assembly. As such, that person, whoever that may be, has to have the full confidence of the 103 members who are in this House.

I can well remember, being a member of the Board of Internal Economy in the last Parliament, that there were three of us appointed, together with the Speaker, to look for an Integrity Commissioner. We interviewed a number of people and three of us—the member from the NDP, I, as the Liberal nominee, and the Speaker—agreed on an individual. The government member didn't agree on that particular individual, and I won't name that individual here. What happened? That name was dropped because there wasn't unanimity there. That's what there should be for this position. All of these discussions about who said what to whom or how the information came out, to my way of thinking, is totally immaterial.

The person simply doesn't have the confidence of the people who in effect are hiring that individual. The people who are hiring that individual are the 103 members in this Legislative Assembly. I think people should understand that this is not a government individual, not a person who's going to head up some ministry; this is a person who is going to be directly responsible to this

body to give us an interpretation as to what the status of the environment in Ontario is at any one time, in exactly the same way that the Ombudsman functions, in exactly the same way that the privacy commissioner functions and the Integrity Commissioner. There is a fundamental difference to that.

Quite frankly, the concern that has arisen as a result of all of this is that since this person isn't going to have the confidence of the members in this House, a significant number of people out there in the province, as well as in this House, are going to watch this individual and the kind of reports that he may come up with in the future with extreme caution, because it's one of those issues that isn't talked about very much in this House. I can remember during the election campaign, at every all-candidates session that I attended—and I attended about 10 of them—I always brought a copy of the Environmental Commissioner's report because I think if there's anything that condemned this government more than almost any other independent report, it was the report from Eva Ligeti.

Let me just remind you what she said about this government and its record. Now we're putting into that position a person who is going to be suspect to a number of individuals in this House as to whether he can in fact give an independent view of the state of the environment. Let's just go back and see what Ms Ligeti said. She said:

"The principles incorporated by many ministries into their statements of environmental values have lacked adequate attention and resources to fulfill them. Examples include the Ministry of Health's promise to support the elimination of carcinogens and toxins implicated in the environmental causes of cancer." In other words, this was a recommendation that the ministry should do something about, and as far as she is concerned nothing happened.

The commitment of the Management Board Secretariat to prepare environmental reports and consult with the public prior to selling environmentally significant public lands—that never happened. The promise of the Ministry of Transportation—I see the minister here in the House tonight—to seek to reduce transportation-related air emissions—that didn't happen. Some of it may be happening now, and if it is, more credit to him, but it certainly didn't happen up to 1998, which is the date of this report.

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She goes on to say, "Evidence of the deterioration of the province's environmental protection standards is widespread." This is not a government bureaucrat saying this; this is not an opposition member saying this. This is the independently selected Environmental Commissioner for this province saying that the environmental protection standards, the deterioration of same, is widespread in this province.

"The Ministry of Natural Resources's much-reduced staffing and its reliance on industry self-monitoring raised questions about the ministry's capacity to protect the province's natural resources effectively ....

"The Ministry of Municipal Affairs and Housing and the Ministry of Transportation have provided little support for environmentally sustainable land uses and transportation strategies ....

"While the Drive Clean program is a step in the right direction, it will not deliver more than minimal benefits."

She ends up by saying, "The Ontario government needs to assess the full environmental and health costs of its policies, set firm environmental targets and give the public the comprehensive and clear information needed to determine whether the environment is being properly protected."

Those were the last public comments from the Environmental Commissioner, because what did you do right after that? You fired her. I can tell you, as far as the children of this province are concerned, the people who will be standing in our position some 20, 30 or 40 years from now, if we owe it to anybody, surely we owe it to them that we leave an environment that is better off than it is right now.

All you have to do is look at your own records, look at how much you're spending in the Ministry of the Environment. In 1995, \$226 million was spent. What is it today? It's \$165 million. In the Ministry of Natural Resources, which is closely aligned to the environment as well, you used to spend \$519 million. What is it today? It's \$364 million. You fired some 880 people in the Ministry of the Environment. In many areas there are absolutely no enforcement officers left because you believe in self-regulation. You believe that if you put the rules out there, the large corporations and businesses that are the main polluters in this province will somehow adhere to those standards. We all hope you're right in that, because certainly you don't have any enforcement mechanisms right now in place.

So there's a concern about all of this. Yes, there is a concern, a real concern, by people out there. You've let the environmental budget in this province deteriorate to a point where there's absolutely no adequate enforcement, and now you're trying to push through the name of an individual who may be a very nice individual, who may be very well qualified but who does not have the support of this House. As a legislative officer of this House, in my opinion and in the opinion of the opposition, that person should have the support of everyone in this House, as have had all the other officers of this House from time to time.

It doesn't just stop there. Let's just read what the Canadian Institute for Environmental Law and Policy concluded just recently. This was reported in the media on October 19, some six weeks ago. "The four years following the June 1995 election were marked by a dismantling of environmental laws and institutions without precedent in the province's history." Is that something that makes you proud? It sure doesn't make me very proud.

Let's go on to the next one. Do you remember that story that came out in the summer, when the House didn't sit? I see some of the members are chuckling



across the way. Do you remember the story that came out that said that in North America only Texas is worse as far as polluters are concerned, that we were the number two polluter in the entirety of North America? The member is saying, "Why is he talking about this?" I'm talking about all this because right now the record clearly shows from a number of different sources that the environmental protection of this province has gone down the drain and has been severely affected as a result of the actions you've taken over the last five years. We are very concerned that whoever takes that position, that person be independent, that person owe no allegiance—not to the government, not to the opposition, not to the third party. The mere fact that this person's qualifications have been called into question to my way of thinking is enough to not appoint this individual. There are 11 million people in this province. Surely to goodness we can all agree on another person to take this position.

As was pointed out a number of times today, if Mr Miller wants to be employed in some capacity, to implement the policies of this government, to a board or commission as a chair, I say that's quite all right; it's quite within the authority of the Premier to do this. I had the privilege of serving as the chairman of the Ontario Housing Corp from 1989 to 1992. I can tell you, when the government changed, the first thing I did was speak to the then Minister of Housing in the NDP government. I said, "I can fully understand, now that a new government has taken over, that if you want to appoint a new chair, you should do that." It's logical. I think a government has the right and the responsibility to make sure that those people who are in place to implement government policies think along the lines of that particular government. But that's not what we're talking about here. We are talking here about a person who will have the independence, the integrity in the office to make independent judgements and independent decisions.

So I am not, as an individual member, interested at all in who said what to whom in committee or out of committee, or whatever the heck happened there. To a certain extent I'd say it's too bad that Mr Miller, who may be a very nice individual, had his name bandied about here that way, because I don't think any citizen of the province deserves that kind of action. But you allowed it to happen, because you darned well knew that when you changed the rules of the game and you decided—when I say "you," I mean the government, Mike Harris or whoever made this decision within cabinet—to go away from the accepted model of having a member from each caucus plus the Speaker make this kind of consensus decision, the moment you sent it to a legislative committee, the fix was in. Because we all know that in legislative committees you have the majority of people. You have five members, there are three from the Liberals and one from the NDP, so you can win every vote four to three. There's no question about it, the fix was in. Somebody internally decided: "We don't want a consensus individual. We want to put our person in." Even if I am wrong in that assessment, the mere fact that this feeling is out there

should be reason enough for you to say, "The integrity of the person who holds that position has been compromised as a result of everything that has taken place."

Look at some of the other things that we will be involved in in years to come. There has been much debate, for example, about whether municipal drinking water systems should be sold. Should we be selling water out of the lakes to foreign concerns, for example? These are all major issues. As I said before, unfortunately they haven't received the kind of attention in the public that I, as one individual, would have liked to see. I think our environment is one of those sleeping issues that people don't talk a lot about because they are more affected, usually, by the health care decisions that are made by this government, or the education decisions. They affect us more on a day-to-day basis. But one of these days—I was just talking to some of my colleagues on this side of the House about this—something dramatic is going to happen in the environmental field and this is going to be an issue that is just going to shoot right to the top.

People are going to say, "Look, with all the new modern technologies that we have out there, isn't it awful that our air quality is worse than it was 30 or 40 years ago, that our drinking water quality is worse than it was 30 or 40 years ago?" Those issues are going to come more and more to the foreground. When they do, we want to have an independent individual there as the Environmental Commissioner, who can assess whatever government happens to be in place at that time and bring out an independent report on what the government is doing that is good in that regard or how it has failed in that regard.

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I'm almost positive that if you were really given a choice you would do away with this position completely. I'm almost convinced of that, because your whole idea of self-regulation by industries within the environmental field leads me to that conclusion.

It's funny, and I talked about this a bit earlier today, it was actually a religious leader in the Kingston area with whom I talked about this particular item about a week or so ago. You people always like to talk about the economy. You always like to talk about tax cuts. The economy's important. People needs jobs. But I have never, ever heard you people talk about the more vulnerable in our society. When was the last time a member on the government side got up and talked about somebody in your community who needed the help of government in some fashion?

*Interjections.*

**Mr Gerretsen:** When was the last time you talked about the homeless?

**Mr Wayne Wettlaufer (Kitchener Centre):** If they don't have jobs there's going to be more homeless.

**Mr Gerretsen:** You just don't get it, do you? You really think that if you can just divide that ever-expanding difference between the haves and have-nots in this province, somehow we're all going to be better off. You think so. Well, I think you're wrong.

**Hon Mr Turnbull:** You're against people working.

**Mr Gerretsen:** There's no question about it, people ought to work.

**Mrs McLeod:** Lots of people work and don't have homes.

**Mr Gerretsen:** That's right. Anyway, my time is limited. It's almost coming to an end.

I would implore the government members—I know there are thinking individuals on the other side of this House—to ask yourself the question, how can you put an individual in a position where he is expected to show independent judgment on an ongoing basis in making his report to this House and to the people of Ontario if that individual does not enjoy the full confidence of the members of this House? All the other appointments do. All the other officers of this House were selected on a consensus basis or by unanimous vote.

What is it about this particular position that you want to ram this through the House? I'm convinced it is just another part of your agenda to bring down the environment, to allow everybody to basically self-regulate themselves in the environment. I even believe that you truly believe that's the preferred way to go. I'm telling you you're wrong.

It's not too late for the government House leader to withdraw this name at this point in time and start the process again. Let's start it on the basis that we will appoint an Environmental Commissioner who has the full support of all the members of this House, the way that person should be appointed.

**Mr Raminder Gill (Bramalea-Gore-Malton-Springdale):** It is an honour to get involved in this debate about the selection of the Environmental Commissioner. I recall from some of the notes, even though I was not here in 1994, that when Ms Eva Ligeti was appointed, when it was the NDP time, it took about 30 minutes to appoint that person. There was a voice vote.

On June 3, when I got elected, I was very happy and very proud. So were my parents and so was my riding. Now, being in the House today, I am a little concerned that I may have done a wrong thing by aligning myself to a political party. It may be a career-limiting move and I'm very concerned.

By the way, Mr Speaker, I will take the liberty, if you will allow me, of sharing my time with the member from Willowdale, the fine member that he is.

**Mr Kormos:** Who's that?

**Mr Gill:** David Young.

**Mr Kormos:** The ridings keep changing.

**Mr Gill:** I guess you know them by name and not by riding. We aligned them. We reduced the number of people. Similarly, we're doing the same thing with the cities, as you will remember.

As I understand it, and I've got an advertisement in front of me from the Legislative Assembly of Ontario, in September the Legislative Assembly of Ontario went to the Globe and Mail and other newspapers nationwide to advertise, as they should, about the Environmental Commissioner. Many people put their name forward through the human resources department. I was not

involved in the committee, but as I understand it, there were 71 applicants and they were all pretty good I guess, but somebody had to screen them and human resources screened those candidates. They numbered and labelled them and they presented them to the committee.

Mr Gordon Miller is the candidate in question today we're all questioning. Everybody seems to be saying that he seems to be fully qualified, but his only drawback is that at one time he ran for political office, did not get elected, as I did not get elected in 1997 when I ran for the federal PCs, and that's OK, sometimes you win, sometimes you lose. We at one time were the third party and now we're the government, but that should not be seen as if we cannot then run for any public office, run for any appointment.

He may be qualified, but the members opposite, especially the member from Broadview-Greenwood, seem to be saying that the question is not whether the candidate is qualified, the question is he at one time ran for political office. Fifty per cent of the people in Ontario in some way are connected to the PC Party and the rest of them in some way are connected with the Liberals or the NDP.

What I'm saying is that this gentleman, whose curriculum vitae I just happened to see today—I'll admit I did not see it before and if I may share that, even though I know part of that could be confidential, this fine gentleman received his BSc, honours, in 1976 in biology from the University of Guelph, Ontario, and then he got his master of science in plant ecology in 1978, again from the fine University of Guelph. Since then he was a scientist in the Ministry of the Environment. He was a professor at Sir Sandford Fleming College for three academic years, co-founding the faculty for a new environmental program, instructional areas including ecology, soil science, hydrogeology.

I don't have to impress anyone. I think we have all agreed. None of us, even the members opposite, has said that he does not academically qualify. The only fault they seem to be finding with this fine applicant is that he ran for the PC Party. They might have been happy if he had run for the Liberals or the NDP or sat on the fence.

As I said before, I'm concerned because at the present time I've got two daughters and I'm very much getting them involved. My older one is 16 and the younger one is 14, and I'm getting them involved in the youth wing of the PC Party. I'm already concerned. Am I limiting their progress in the Ontario system? Am I limiting them only to the private sector? It seems like the members opposite are saying that, but they're not saying that if they belong to the Liberals or NDP—then it's OK, but if they belong to the PCs, it's a no-no. It's a big crime.

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None of the parties actually presented any candidates from their side for the Environmental Commissioner. All 71 candidates came through human resources. They were finely screened. I was not a part of the committee, but I understand, including from the comments made by the members opposite, this gentleman was third on the list and two of them, for some reason, withdrew. By looking



at his curriculum vitae, it seems like he was a good candidate, and I have no problem in recommending that perhaps he should be seriously considered and hopefully approved.

At the same time, I think we should not only look at debate on what party he belonged to; we should also look at some of the fundamental improvements that our government has brought forward in areas of economy, including areas of environmental protection, and I will try and cover some of those.

We as a government have established a \$200-million provincial water protection fund to ensure Ontario communities receive safe and clean drinking water. We've also established the Ontario Great Lakes Renewal Foundation to support Great Lakes cleanup projects with an initial \$5 million in seed money and will secure funding from industry for future projects.

Some of the new regulatory protections: In June 1998, our Ministry of the Environment released new landfill standards which include requirements for siting, design, operation, monitoring and protecting ground and surface water, controlling landfill gas and many other initiatives. We're building strong environmental protection measures into the new competitive electricity market. New regulations are being developed to set smog and acid gas emission caps and performance standards for all participants in the Ontario market. We've also introduced new soil cleanup guidelines which provide clearer, more workable directions on managing and rehabilitating contaminated sites. In order to better protect our water resources, we enacted the Ontario water taking and transfer regulations, which prohibit the transfer or diversion of water out of defined water basins in the province.

There are many, many programs we can talk about at some length. In fact, I've got four pages of them, but at the same time that is not the issue. The opposition doesn't want to talk about all the good things we've done. Ontarians agree that we have created more than 700,000 jobs, more than 400,000 people are off the welfare rolls and we have the best economy in all the G7 countries.

They keep saying—I've heard I think 81 times today—that: "The fix is in. The fix is in. The fix is in." Come on, guys, the candidate is totally qualified. Nobody is questioning that. All they're saying is just because he belongs to the PC Party, therefore he's considered an outlaw, almost to the point of being a criminal. This is terrible, and again I'm starting to question. He would have been OK if he was NDP, he would have been OK if he was Liberal. It was an open process, a very valid, democratic process, and out of 71 people, the whole committee agreed on one candidate.

Now they're starting to scuttlebutt. They're starting to put a monkey wrench into the system; they're starting to delay the progressive process of many of the things we need to do. We need to talk about Christopher's Law. We need to make that into an act, but the members opposite don't want to talk about that. They want to waste the time of the House talking about: "Fix was in. Fix was in." I

mean, come on, guys, let's move on. The candidate is totally qualified. Let's face that. It is no crime just because he was part of the PC Party at one time or he still might be, which is OK. I don't think that's a crime.

One of the members opposite said there are fewer enforcement officers in the Ministry of the Environment at the present time. I might have to agree with that, but don't forget, we have laid more charges. We have brought in more enforcement ever since our government came in. It's not the number of people; it is how effectively we're using those people, how efficient we are, which is the same as reducing the size of the government, be it the province from 130 to 103, as well as reducing the size of the city from 58 to 44 or 22. I don't know what the right size is. I think the cities themselves agree it's 44, so it's how efficient they are, not how many people you have running around.

Once more, I want to stress as much as I know—and I'm very much qualified as an environmentalist myself, a chemical engineer, environmentally trained, both a bachelor's and master's from the University of Toronto—and I've screened his resumé. I think the gentleman is fully qualified. If I was part of the committee, I would be very happy to endorse him, and I expect that everybody, forgetting the political affiliations, will come forward and own up to it and recommend him and let's move on to some of the very important pieces of legislation we still have to bring forward.

**Mr David Young (Willowdale):** It's a pleasure to join this discussion. I want to start off, if I may, by commenting on where we have evolved or devolved, as the case may be, in this Legislature. We have a gentleman who has come forward and put his name in as an applicant for this very important position of Environmental Commissioner. I've never met Mr Miller. I have read his resumé and I will refer back to that in a moment, as the member before me has, but I must pause to comment upon the fact that the members opposite cried out over the last few hours for some consensus-building, for some agreement by way of which the members on this side of the floor and the members on that side of the floor could agree that a particular individual would be best suited for this or any other position.

Mr Speaker, as you well know, I was not in this Legislature prior to June of this year. I have the privilege of serving for the next four or five years and I very much appreciate that, but it is my distinct impression that what has happened to this august chamber over the past decade or so is that the opposition has taken on a position, a role whereby whatever it is that is put forward on this side of the chamber they are against. They are against it even to the point of name-calling.

*Interjection.*

**Mr Young:** The House leader for the official opposition is bellowing away there because I guess I've touched a nerve, but let's for a moment—

*Interjection.*

**Mr Young:** Oh, I'm sure this will be an excellent point of order from Mr Bradley.

**The Acting Speaker:** Mr Bradley on a point of order.

**Mr Bradley:** *Failure of sound system*—except the Ombudsman—

**Mr Young:** If I may refer back—

**Mr Duncan:** The opposition voted in favour of the Ombudsman—

**The Acting Speaker:** These aren't points of order.

*Interjections.*

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**Mr Young:** If I hearken back just to this afternoon in this chamber, I want to talk about just how far the opposition has taken this. They, through their leader, stood up and called this individual, who I anticipate none of them have ever met face to face—

**Mr Bradley:** I have.

**Mr Young:** That's very nice, Mr Bradley. They have come forward and compared this individual to a Nazi officer. I want you to know—

*Interjections.*

**The Acting Speaker:** Order. Sit down. Quiet. Order.

**Mr Young:** As yet another example of my friends on the other side of the chamber ignoring facts because sometimes they get in the way of what they now perceive their role to be, there's no mention of Mr Miller's background by way of the fact that this gentleman not only, as the member from Bramalea indicated earlier, has degrees, not only has experience as a scientist both in public and private life; this gentleman was a district manager for the North Bay district office of the Ontario Ministry of the Environment and Energy. Yet remember that through all of this they cast this gentleman as being an insider, an insider within the PC Party. I ask you—

*Interjections.*

**Mr Young:** If my friends would perhaps give me a moment, they would understand as well. I ask you, Mr Speaker, why it is that in 1997 this gentleman, when the nature of the office that he occupied was changed from that of a district office to an area office, was laid off. If in fact there was any credibility to their allegations, if this was a party insider, which he is not, if he had some inside track to this government, to the people on this side of the Legislature, surely he would not have had that fate.

My friends on the other side are prepared to ignore all the publications that this gentleman has written. They are prepared to ignore the fact that he has served as a professor at various institutions across this province. Let me pause to say that he has served at institutions not only where he currently resides but throughout the province. That knowledge, that experience, that understanding that he would undoubtedly garner from having lived in various places across this province, that too will allow him to perform his responsibilities in the exemplary manner I anticipate he will.

**The Acting Speaker:** Further debate.

**Mr Steve Peters (Elgin-Middlesex-London):** Just before I proceed to get into this debate, I want to take this opportunity to wish all my colleagues here in the House, my colleagues on all sides, and all the staff within the Legislature and the citizens of Ontario all the best

through the holiday season. It's kind of a historic night tonight that I think all of us should be aware of because, not knowing what's going to happen, this could very well be the last sitting in this Legislature in this millennium. Whether it is tonight or this week, I think it's important that we recognize that fact and wish everybody all the best, even though they don't seem to want to listen. I wish you gentlemen and ladies all the best in 1999 and into 2000.

I just wanted to make a few points, and one in particular. It was interesting this evening to hear some comments about the appointment of Eva Ligeti in 1994. It seemed to me I was hearing implications that she was the only choice that was being put forward.

I think it's important that people understand what happened in 1994. Mr Kimble Sutherland, a member speaking at the time about the Environmental Commissioner, said they had more than 200 applications for the position:

"I think it reflects and bodes well for the degree of public interest in the Environmental Bill of Rights but also in the Environmental Commissioner, in seeing this as a very important position, not only being an officer of the Legislative Assembly but of the people of Ontario and what the role of the Environmental Commissioner can be.

"As I was saying, there were more than 200. Obviously, we didn't interview all 200. We narrowed it down to a group of 20 who were interviewed."

It's important to understand that there was a process that had been followed back in 1994.

I was rather surprised to read the London Free Press this morning. It talked about the appointment of Eva Ligeti back in 1994. Again, there was reference to the government House leader, Mr Sterling. It talked about how it was an appointment that was made amid controversy. I was kind of curious about that. I wondered if maybe the government House leader was thinking of someone else when he talked about Ms Ligeti being appointed amid controversy. I took the opportunity this evening to review Hansard and have a look at what was said at the time about the appointment of Eva Ligeti. I'll come to that in a minute. As a new member who wasn't here in 1994, it was interesting as I read Hansard to find out how universal the praise was for Eva Ligeti as she took on the job and the role as the Environmental Commissioner for this province. I would have thought the PC Party members at the time would have been against her appointment. After all, they failed to reappoint her to that position five years later despite the excellent job she has done on behalf of all citizens of Ontario.

I'd like to take this opportunity to thank Ms Ligeti for the fine job she has done on behalf of the citizens of this province. We needed someone. This province needed someone with character and intellect who would mould the role of Environmental Commissioner. Ms Ligeti certainly demonstrated that she could do that.

Eva Ligeti's appointment could have been renewed by this government. However, they decided to compromise the position with the appointment of a Mike Harris true



believer to the role. I want to refer members of this House to some of the comments made by the now member for Dufferin-Peel-Wellington-Grey at the time of Ms Ligeti's appointment, to again show and reinforce what a solid choice Ms Ligeti was in 1994.

Mr Tilson: "She's certainly a well-qualified person for this position .... Ms Ligeti did impress us and I think the committee was unanimous"—I reinforce that word, "unanimous," of the committee that was struck in 1994—"in that choice. Looking at her qualifications, her legal background, her public background, her educational background, she certainly will be qualified for the job."

Just to reinforce some of the other comments that were made at the time of Ms Ligeti's appointment in 1994, Mr Bud Wildman, the Minister of the Environment at the time, said: "I would like to take this opportunity to congratulate the members of the committee and to introduce the individual that the committee has unanimously recommended to the House to be appointed as the Environmental Commissioner, the first Environmental Commissioner in the history of Ontario."

Mr Tilson again, during that same debate, talking about Mr Wildman: "He is right that the committee members were unanimous with respect to the appointment of this woman as the new commissioner for the Environmental Bill of Rights. I will say that we feel she is certainly qualified for the position."

It's interesting how times can change and how politics can change things in five years. Somebody who had unanimous support of this House all of a sudden no longer has that support.

It was interesting to follow through with Mr Tilson's comments. In fact, the member's principal concern was that the government hadn't given her the tools that she was going to require to deal with solving many of the problems in this province.

Why, then, if the member and his party thought so highly of Ms Ligeti at the time, did they fail to renew her appointment? It has been obvious that this government fears the position of Environmental Commissioner, just as they fear anything powerful that isn't under their control.

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Look at how the Premier curtails his own ministers' authority. Look at how the Premier's office writes the briefing notes for every government member's set-piece statement. We see you coming in with those little plastic folders; we see them being handed to you out in the hall. We know who writes those. You don't write those. Those are being passed on to you. Look at how the backbenchers of this government have been reduced to nothing but a bunch of circus seals.

Here is a position, that of Environmental Commissioner, just like the auditor, just like the human rights commissioner, just like the Ombudsman, that is beyond the purview of the Premier's office. You know what? I bet that makes him pretty mad. Who's the next to fall under the control fetish of this government? Will it be the Ombudsman? Will it be the Integrity Commissioner?

Will the Provincial Auditor be next? I have to admit, though, that I have a soft spot for Mr Peters. I guess it must have something to do with his name.

The Premier has been described as a guy who always wants to be in charge and be in control. Today we are debating that very exercise of the Premier's control. Don't be fooled by what the government members were saying differently. This is about the Premier's fears of someone beyond his control.

As a matter of fact, as I was searching through Hansard and looking for earlier debates I found a very interesting comment about the position of Environmental Commissioner. Once again it was by the member for Dufferin-Peel. However, he places this comment in the context of being the position of his party. I assume it was the position of the Conservative Party in 1994, that party under the leadership of Mike Harris. The member stated at the time: "We in our party are concerned about the issue of the cost, about whether it will be another layer of bureaucracy over which we'll simply have no control." That's what the problem was here with this Environmental Commissioner: You didn't have control over that Environmental Commissioner. That's why we've got what we're dealing with today, because you want somebody that you can control.

There's the PC Party's position on the Environmental Commissioner. I'm going to read it into the record again, just to be sure everyone got it. The member for Dufferin-Peel stated: "We in our party are concerned about the issue of the cost, about whether it will be another layer of bureaucracy over which we'll simply have no control." This is all about controlling bureaucracy. In this case, that bureaucracy is the Environmental Commissioner. It is a position that is supposed to be at arm's length from the government, but it is still all about control.

I can see why this government is so concerned about the issue of control. Certainly their record, your record, on the environment is nothing to write home about. Ms Ligeti said exactly that. Before Mike Harris laid her off, the Environmental Commissioner had this to say about your government's environmental policy: "If we continue along this path, our right to a healthy environment will be jeopardized. We cannot afford to forfeit on short-term savings at the expense of long-term environmental health."

Never forget that the environment is about both nature's health and our own health. High smog levels have contributed to respiratory problems which have been linked to 1,800 premature deaths each year. But of course it's all about costs for the Harris government. It's not about preserving our heritage; it's not about maintaining our environment; it's not about leaving a lasting legacy for our grandchildren to enjoy. It's all about cost and control. It's all about putting someone in the position who will not cost the government anything politically, and about finding an Environmental Commissioner that the government knows they control.

That concern about cost and control has meant huge cuts to the Ministry of the Environment. This government

is concerned about making these small, short-term savings, forgetting about the legacy of the children—your children, your friends' children. Let's look at this wonderful, wonderful legacy, and I mean that very sarcastically, because it's the most terrible legacy any government could leave to a future generation. It's a legacy you should all be very ashamed of because of the damage you've done, because you're only looking at the short term; you don't look at the long term. That long-term damage is going to be devastating to the people of this province.

Let's look at your record: 880 jobs in the Ministry of the Environment gone, including one of those positions that we're about to debate.

**Mr Doug Galt (Northumberland):** On a point of order, Mr Speaker: I was just wondering if it was the member for Elgin-Middlesex-London who requested from the Minister of Citizenship, Culture and Recreation—

**The Acting Speaker (Mr Tony Martin):** That is not a point of order.

**Mr Peters:** Speaker, it wasn't me who requested it, it was Mike—it doesn't matter who requested it. But we had a letter, "We've sent those books back," because that person was so ashamed at what had been done: \$2.4 million wasted on a book, \$2.4 million that would have been better spent put into preserving the environment of this province and not wasting it on a book. Think of the trees that were killed publishing that book.

It's a shock, gosh, it's terrible: 880 jobs gone; one-third of all the staff laid off; \$121 million taken from that ministry; 38% of those budgets slashed.

Just look at the compliance and enforcement branch: 141 jobs cut and \$15 million in money that went straight to searching out our polluters. That is gone, gone right into the pockets of the fat cats who are doing the polluting of this province in the first place. These cuts have left the Ministry of the Environment—

**Mr Brad Clark (Stoney Creek):** On a point of order.

**Mr Peters:** Boy, I'm hitting some spots here.

**The Acting Speaker:** The member for Stoney Creek on a point of order.

**Mr Clark:** Thank you, Mr Speaker: I have a bit of a sinus infection and I'm wondering if the member could speak up a little louder. I can't hear him.

**The Acting Speaker:** That's not a point of order.

**Mr Peters:** I apologize for that. That's the style I've developed in 10 years of serving as a politician, serving people and putting the interests of people first, not putting the interests of other people first, not like your government does.

These cuts to the Ministry of the Environment—with-out the resources to do their job—are devastating. The monitoring capacity is gone. The inspection capacity is gone. The prosecuting capacity is gone. There is an empty shell of a building sitting on St Clair Avenue.

The cuts to legislation have been just as bad. They might as well call these things red tape because that's what you did to legislation in this province. Regulations

were cut, just that; other important protections for the public—the Environmental Assessment Act, the Environmental Protection Act. Landfill sites can be approved now without environmental hearings. With a stroke of a pen, a minister can approve a landfill site. That's wrong. That is not right.

Public scrutiny of the process has declined. Where former governments listened to the concerns of citizens and cracked down on polluters, this government listens to the concerns of polluters and cracks down on citizens.

However, the PC legacy on the quality of our environment is where they have really excelled. Once Ontario had an environmental record to be proud of. Now we take the silver medal at the polluter's Olympics. We're the second worst jurisdiction in North America for pollution, number two with a bullet, right behind Texas. Now the Governor of that fine state is embroiled in a presidential race. He is likely little concerned about his environmental record. Governor Bush must be upset to see himself in Mike Harris's company on this issue. I wouldn't be surprised next year to see Ontario take the gold medal and become the very worst polluter on this continent. They might have let Mexico in just to give us some competition.

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But the element of control is what really scares me.

I don't know Mr Gord Miller. I don't believe I have ever had the pleasure of meeting Mr Miller. He has a background that indicates some familiarity with the issues of the environment in some situations, certainly, though not in this one. I might support his appointment to a board or an agency on environmental issues. That would be if partisanship were not an issue.

However, his qualifications for the job are not an issue with me; his partisanship, though, is. Gord Miller is a Progressive Conservative. More than that, he is a close personal friend of the Premier. In the *Globe and Mail* the Premier was quoted as saying of Mr Miller, "He is a friend and somebody I've known and admired for quite some time."

Were he not a Progressive Conservative candidate in the past, that comment alone would raise my suspicion. A person who is a long-standing friend of the Premier might be very loath to make such comments needed in this job. How quick would insiders and whistle-blowers be to approach someone who has known the Premier intimately for years? If you are in a position of deciding between jeopardizing your employment and future or doing the right thing to preserve the environment, you have to think this would definitely be a consideration to you.

But more than that, this person has held the standard of a political party in an election. We ask of our senior bureaucrats that they not participate in party politics. Arguments about the politicization of the civil service are long-standing in this jurisdiction and others. I won't start bringing all the precedents and statements by members into this House. Rather, I would like to talk about the nature of this role.



The position of Environmental Commissioner was created in 1994 with the proclamation of the Environmental Bill of Rights. The task force on that bill saw the need for a role for the Environmental Commissioner to oversee the administration of the environmental commission. This role was much the same as the role of the human rights commissioner or the Integrity Commissioner.

The independence of this office requires that the commissioner be sworn to impartiality. The Environmental Bill of Rights provides that the commissioner "shall not do any work or hold any office that interferes with the performance of his or her duties as commissioner."

Until the matter was raised by opposition members, the nominee saw nothing wrong with holding the office of a PC riding association president. He saw nothing wrong with continuing in a purely partisan role with an outside position. That is frightening. If Mr Miller could not see the potential for a conflict of interest by holding a position in the Progressive Conservative Party leadership, how can we expect him to see other potential conflicts of interest?

The position itself will lose its status with this appointment, not due to the qualifications of Mr Miller, but due to the loss of the independence that such an appointment will entail.

**Mr Kormos:** I'm going to share this modest 20 minutes with Ms Martel from Nickel Belt up in northern Ontario.

First, let me tell you, when corruption exists it's important that there be people who have the courage to blow the whistle, who have the courage to expose it, knowing full well that they're going to be condemned, that they're going to be shot as the messenger, but Ms Churley, thank goodness, had that courage, had the astuteness and the wherewithal to sniff out a rat when there was an effort to ram an appointment through to what has to be a non-partisan position, an appointment that requires, I put to you, three-party agreement. It's a very small group of appointments that have that quality or that demand put on them.

Ms Churley very eloquently went through the whole list of appointments that governments are empowered to do that carry with them an element of partisanship by virtue of the fact that that's somebody working for the government as compared to working for the Parliament. A government appointment is somebody who is working for the government within a ministry or on an agency that's attached to a ministry or at arm's length. We understand she told you that. We understand that partisan appointments are inevitable, but when you've got one of these—they're very few in the province of Ontario—things like the conflict of interest commissioner, things like the Ombudsman, things like the Environmental Commissioner require—I believe very strongly that if they are going to be able to do their job at the very least, and even more so if they're going to be able to do their job well, those appointments have to have the support of

those appointments have to have the support of all three parties.

Ms Churley has simply raised concern about the fact that a candidate for this position failed to disclose some very partisan connections—very partisan—member of and president of a Tory riding association, and where of all places but in the Premier's own riding. No stranger, I put it to you, to the Premier.

The other interesting thing is that this fellow was a candidate in the 1995 provincial election. I was there in 1995. It was a tough election if you weren't a Tory. Quite frankly, the Tories could run virtually anybody anywhere and get them elected in 1995. There was a sweep. I've got some concerns about a Tory candidate in 1995 who couldn't get himself elected. When you go to the matter of judgment, here's a gentleman who ran as a federal Tory candidate in 1997. That demonstrates something lacking in judgment. Be fair. To run as a federal Tory candidate in 1997—a federal candidate, mind you; one of the post-Mulroney gang—I don't know this person, but it really does cause me to question his judgment. To share the observation of Ms Churley that this person is so partisan as to be a federal Conservative candidate in the 1997 election, we should have concerns about where his allegiances will lie once he's the Environmental Commissioner.

If you take a look at the sort of support he got financially, yikes, you've got a guy who's—and he may be a very nice person, I don't know. I know one, two, three Tories who are nice people. He could be the fourth. None of them are members of this Legislature. If I were to meet him, I could very well find the fourth Tory who I find to be a fairly nice person. But the fact—

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** Talking about Frank Sheehan again?

**Mr Kormos:** Yes, the former—the fact is that here's a person who clearly has some very strong, intense partisan ties. I don't dispute somebody's right to belong to a political party. Of course not. Neither does Ms Churley or I don't think any member of this assembly but we're talking about somebody who has very intense partisan allegiances. Does that automatically bar him? I would say no. But one has to wonder why there was a failure—he certainly didn't conceal that background—I use the word "conceal" very advisedly here—to avoid having Conservative members of the committee discover it, did he? Of course not.

One has to draw the inference that to conceal the partisan activity—being a candidate in 1995, being a candidate in 1997, being a president of a riding association—one has to conclude that it was concealed to prevent the opposition members of that committee from discovering that partisan attachment, that partisan relationship.

Earlier today when I heard the House leader lead off the government's position on this motion, it rotted my socks to hear what he had to say. Talk about narrating some intense fiction.

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Do you know one of the strange things about this place, Speaker? Let me tell you. After 11 years, I'm still confounded by the fact that it's OK to lie in the assembly but it's not OK to identify someone as a liar. It seems to me that the far worse offence should be lying, not naming somebody as a liar. So I had to withdraw some of my comments that I made about the House leader earlier today because they were unparliamentary; you can't call somebody a liar. You can call them a liar, but then the Speaker names you and you have to withdraw. So I was forced to withdraw what I said several times about the House leader.

**Interjection:** The government House leader.

**Mr Kormos:** The government House leader, Mr Sterling, the not-so-sterling Mr Sterling. He was in here talking about how the New Democrats had called for a committee hearing with respect to Bill 22, the high-speed chase bill, and he had the—

**Ms Shelley Martel (Nickel Belt):** Audacity.

**Mr Kormos:** Audacity. Is that fair enough? Is "audacity" unparliamentary? He had the audacity to indicate that the committee hearing was called at our request but that no amendments were submitted and that there were no more than five minutes of attendance at the hearing. What horse—

**Ms Martel:** Feathers.

**Mr Kormos:**—feathers that is. This place is loaded up with that more often than not. That's why I wear the cowboy boots, because if you wear regular shoes it gets inside them and your socks get wet. He was spreading it awful deep. The government House leader was imitating your manure spreader earlier today when with this fiction he attempted to malign the NDP caucus, and it was entirely inconsistent with the facts. I find it outrageous that a government House leader would not present factual material—how am I doing in terms of toeing the line, Speaker, in terms of being parliamentary? I can't say he lied—that a government House leader would play with the facts in the way he did.

Then, when he's confronted with the reality—like, read the transcript, pal, and you'll find out what indeed happened. We brought important amendments to the committee with respect to Bill 22 that were initiated by the very requests made by the Police Association of Ontario, the very requests made to this government. When this government wouldn't respond to the requests, we felt obliged to do it. It's incredible and disappointing.

The government members here and their House leader, the government House leader, the not-so-sterling Mr Sterling, can't grasp what's going on here. They simply want to shoot the messenger. I say they ought to take a deep breath, step back and pay attention to exactly what's been happening in that committee and why it's so important that they too join with Ms Churley in her call to readdress this very important appointment.

**Ms Martel:** Let me follow up in terms of trying to correct some of what the government House leader had to say today when he kicked off this debate. I recognize that

was earlier this afternoon, but I was astounded by what he had to say. I was absolutely astounded. I was sitting in the back, in our gallery, watching him on TV, and almost the first words out of his mouth were that we asked for Bill 22 to go to committee and no amendments were put. The government House leader was here for some of the debate last night and knew full well that both my colleague Mr Kormos and I spoke extensively about the amendments that were put in the justice committee last Monday. In fact, we read into the record from the transcripts of that committee some of the comments made by the parliamentary assistant when he determined that the government side wouldn't support the amendments. The government House leader was here for some of that debate, listened to some of that debate, and knew full well that amendments were put during that debate. I regret that one of the first things he had to say when he called this motion was to make that kind of allegation that nothing was done.

But he didn't stop there. Three minutes after he finished with that allegation, he talked about Bill 11 and made the comment that our caucus forced Bill 11 to committee, which we did. I was proud of that because we had concerns about the red tape bill.

The next thing he said after saying that our caucus forced Bill 11 to committee was that when that came to committee, we didn't place any amendments. This was completely false. I want to read into the record the time allocation motion with respect to Bill 11 and to make it clear—the government House leader knows this, so I don't know why he was in his place saying what he was. The government House leader, by his own motion, made sure there could be no amendments put. The time allocation motion for Bill 11 said clearly that the bill would go to the standing committee.

"The standing committee on general government shall be authorized to meet at 6:45 pm on Monday, December 6, 1999, for the purpose of considering the bill;

"That at such time, the Chair shall put every question necessary to dispose of this stage of the bill without further debate or amendment; and

"That any divisions required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 127(a)."

That was the government House leader's own motion. He knew full well when he stood in his place here this afternoon that no amendments could be put. He didn't allow it. His own motion didn't allow it. I was astonished that in leading off this debate with respect to the Environmental Commissioner, within three minutes he could make two allegations which were so completely untrue. It is regrettable. I don't know whose opinion he was taking.

**The Acting Speaker:** I think you'll have to withdraw that. It's unparliamentary.

**Ms Martel:** I will withdraw the word "untrue," but he was so incorrect with respect to the statements that he made, and I found it regrettable. He did come in and had to apologize for the comments he made and withdrew the



comments he made on Bill 22, but he said nothing about Bill 11. In fact, after he withdrew his comments about Bill 22, it was two minutes after that that he made his comments about Bill 11 and us not putting amendments. So it was a very bad way to start a debate that we all knew was going to be contentious.

The reason why this debate is contentious is because I think most members in this House, even the government members, understand and know full well that the position of Environmental Commissioner is a position that in the most technical of terms is an officer of this assembly. It is a position that is like the Ombudsman, that is like the conflict-of-interest commissioner, where all of this assembly is supposed to have an opportunity to have their say about who is selected.

Those people who are appointed are responsible back to all of this assembly, not to the government of the day, not to the Premier, not to the cabinet. Their role and responsibility and accountability are back to all members in this assembly. That makes their selection completely different in terms of the process that is used, in terms of the standards that have to apply to their selection, and, I might add, in terms of the unanimity which should be required in order to have them appointed. I think all members understand that, even some of the cabinet ministers who have been here this evening trying to talk about other positions. This position is different, and you know that, because these people are responsible back to all of us. It's not like the appointments that the government can make to agencies, boards and commissions where those people are only responsible to the government of the day and in essence the cabinet of the day.

We have a position before us where the selection and the standards and unanimity in terms of selection should be higher and should be agreed to by all of us, and that's not what happened in this case. This is the basis of our disagreement. We have a candidate who, for whatever reason—and I don't know what the reason was—came forward for a position that all members of this House have a responsibility for. He for some reason—I don't want to say deliberately, but for some reason—did not disclose the very partisan links he has with this government. I believe he had an obligation to do so. I say that because we already know that staff members, for example, at the commission cannot hold any role in terms of a political party. They cannot be attached to a political party. Why would that be any different from the commissioner? Of course, it shouldn't be any different. We already know, and I assume that Mr Miller should know, because he applied for this position, that in fact it's very clear that the commissioner, whoever it is, has to be independent, has to be non-partisan. It says very clearly in the background paper with respect to the Environmental Commissioner the following, "The independence of the office requires that the commissioner be sworn to impartiality," or, "In particular, the ECO's position is independent of the party in power and its impartiality cannot be compromised by pressure from non-statutory

considerations such as political pressures, potential reprisals or interference."

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Mr Miller had to know, had to understand how important this position is; the requirement of this position that one be independent from a political party, especially the political party in power. Despite having had to know that—he must have—he did not disclose his very extensive and close links to the governing party, indeed to the Premier himself.

Let me remind members: Mr Miller was a candidate for the Harris Conservatives in 1995. Mr Miller was a candidate for the federal Conservatives in 1997 in Nipissing, in the Premier's own riding. Mr Miller, at the time that he applied to be the Environmental Commissioner, was the president of the federal PC riding association in Nipissing.

In fact, when my colleague Marilyn Churley called Mr Miller to ask him if he was president, to confirm before we raised that, he said yes. Not only did he say yes, on the same day that he had been appointed he told my colleague that he had no intention of resigning from that position with a political party until the annual general meeting of the federal riding association in January 2000. Then someone must have called him and told him he'd better resign, because he did it a day later.

Surely the government must understand the lack of judgment in terms of his judgment with respect to whether he had a partisan link or not. His lack of judgment surely speaks to whether or not he's got some proper judgment to carry out his role, whether or not he can dissociate himself from the party in power with which he has such strong links. That's what our opposition is, that he disclose such important information; that he somehow didn't think it was relevant to this important position.

**Mr David Tilson (Dufferin-Peel-Wellington-Grey):** I would like to speak on this subject. I've had the great honour over the years that I've been here of sitting on a number of committees that have named or recommended to the House for approval the current Provincial Auditor, the former Environmental Commissioner—my Liberal friend quoted that I was on a committee when Ms Ligeti was named the Environmental Commissioner during the NDP reign—the privacy commissioner and the Integrity Commissioner. Some of those were different types of committees. They were all all-party committees but I did have the honour of sitting on those committees.

I haven't been part of the latest process, the process of the Ombudsman and the issue that is before us today, the Environmental Commissioner, but I will say that on all of those occasions the issue of partisan politics was never once mentioned. It was never referred to. For example, I understand in the current selection of the Ombudsman there were former members of this House.

**Ms Churley:** Yes, it was written on their resumé.

**Ms Martel:** It was written on their resumé.

**Mr Tilson:** The members say it was written on their resumé. It didn't have to be written on resumé. We knew who they were.

I can certainly recall sitting on the committee for the Environmental Commissioner in 1994 or whenever it was. There was a former Tory member. He didn't have it in his resumé. We all knew who he was. I didn't know who he was, I'd never met the man before, but it became drawn to my attention who he was.

I guess my point is, that seems to be the issue that is before us now, that Mr Miller has had political affiliations to the Conservative Party. I guess that means that for any of these positions, if you've ever been a member of the Conservative Party, the Liberal Party, the New Democratic Party or any other political party in this province or this country, you're disqualified. You're absolutely disqualified. You can't sit on these commissions, it's most improper. It's a terrible precedent to set. If you're a card-carrying member, you can't even apply.

Generally, with these committees, the representatives from human resources would come to us and they would offer suggestions how we would conduct ourselves. They would say such things as, for example, "You must ask the same questions of the candidates." You could vary somewhat from those questions and it may not have been the precise question but the same types of topics, and you were allowed to go beyond that to a certain degree.

**Ms Churley:** We weren't.

**Mr Tilson:** The member says that they weren't. I'm just telling you what my experience was. We were also told certain things that you couldn't do. You couldn't, for example, ask if a candidate was married or their age. They pointed out the Human Rights Code. Section 1 says, "Every person has a right to equal treatment with respect to services, goods and facilities without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap."

So I look at that section, because that section is referred to by the human resources people on all of those committees that I sat on. You can't ask those questions. I ask myself, what does "creed" mean? I look it up in the dictionary, and the only one I could find is the American College Dictionary, but one of the definitions of "creed" is "any system of belief or of opinion."

I maintain that the opposition is dead wrong. I don't even think they have the right to ask, "What is your political affiliation?" and if you're a Conservative or a Liberal or an NDP, you're disqualified from that job. I say it violates the Human Rights Code. Read the code.

**Ms Churley:** It does not.

**Mr Tilson:** I just read it. If you were listening instead of blathering over there to yourself and your colleagues, you'd hear what I say.

I maintain that it's just as wrong to ask what one's political affiliation is as it is to ask what your religion is, what your age is—

*Interjection.*

**Mr Tilson:** The member laughs and says it's ridiculous.

According to the opposition, if you're a Conservative or, worse yet, if you come from North Bay—God help you if you come from North Bay—you're disqualified.

2210

I haven't heard one derogatory comment about Mr Miller's capabilities. The member up here—I can't remember his name—quoted me as supporting Ms Ligeti. I did support Ms Ligeti. I quite frankly observed the fact that her name came from the then Ministry of the Environment for the New Democratic caucus. That's where her name came from. It was recommended that the ministry thought she was a good, qualified person. I agree with it. The member up here has quoted me as doing that. She had very good qualifications, but it was interesting that she was supported by the Ministry of the Environment. It became quite clear at the committee that the New Democratic Ministry of the Environment supported Ms Ligeti. I guess it's OK for them but it's not OK in this particular situation.

*Interjection.*

**Mr Tilson:** I'm telling you that was the process, because I was there. You weren't there.

**Ms Lankin:** Yesterday you said she wasn't your choice either till we put it on the record from Hansard.

**Mr Tilson:** I happen to support her and I did support her. She had very good qualifications. I haven't heard any of these opposition members talking about Mr Miller's qualifications, as to whether or not they think his qualifications are appropriate to be an Environmental Commissioner. Their criticism is that (1) he comes from North Bay; and (2) he's a Conservative and he ran as a Conservative.

**Mr Christopherson:** It's a non-partisan job. Which part don't you get?

**Mr Tilson:** Yes, it is a non-partisan job. Do you really think that this candidate—

*Interjections.*

**The Acting Speaker:** The members in the New Democratic caucus. Members of the third party will come to order. Bring you colleagues to order.

The member for Dufferin-Peel-Wellington-Grey has the floor.

**Mr Tilson:** The process that goes on generally in these committees, and they're not all the same, at least not the ones that I was on, and I doubt that it was the same on this one. They are all different. Basically there's a process of creating a short list. As I understand it, there were 10 or 12 interviews. The member, Ms Churley, the member for Broadview-Greenwood, said that she spent 20 hours on this committee interviewing people and assessing who would be an appropriate appointment. They interviewed 10 or 12 people. That was on a point system. The human resources people created a point system. That point system was set out, and that's pretty well standard. That happens in all the various appointments that come to this place. There's a system that is followed. I can assure you that it's not partisan.



In any of the committees that I've been on, it has never been partisan. We have known that there have been people with partisan connections, but we looked at their qualifications. We looked at what they could do. We looked at what their academic record was. We looked at how they presented themselves in the interviews, and then generally a shorter list was created. I gather that in this particular case, I think it has been said here, there were then four names or a smaller number who came back again. The committee then reviewed those names, a most appropriate process, and that's the way it has happened on all the committees I've been on to interview these applicants for the different commissioners. I believe it's a proper one. The human resources people guide us through what you can say and what you can't say.

My only speculation is that these people got the bright idea that they saw somebody from North Bay, it came to their attention that it was somebody from North Bay, and they saw he was a Conservative and they said: "Oh, my goodness. This person cannot be independent. It's impossible for this person to be independent." I say that's totally irresponsible of you to take those positions. Totally irresponsible.

I didn't hear the criticism from the various opposition members, particularly the New Democratic caucus, when Mr Laughren, whom I happen to respect, was appointed to a quasi-judicial position at the Ontario Energy Board. We all knew what he was. My goodness, when I sat in this House he was one of the most partisan people I've ever met. But I think he is doing a good job, from what I understand, as the chairman of the Ontario Energy Board. He's going to be making quasi-judicial decisions. If you follow the rationale of the Liberals and the New Democratic caucus, Mr Laughren shouldn't be there. Why? Because he's an NDPer. He shouldn't be there.

#### *Interjections.*

**The Acting Speaker:** Order. The member for Timmins-James Bay will sit in his own seat if he wants to heckle, or I'll have to name him. The New Democratic caucus will come to order so the member can speak.

**Mr Tilson:** The best appointment of all was a guy named David Agnew. Remember him? That wasn't partisan. That couldn't possibly be partisan.

#### *Interjection.*

**Mr Tilson:** The member says, "Of course it's partisan."

I too have not met Mr Miller, but obviously even to get an interview he had to have met the initial qualifications that were recommended by the human resources people, who set up a point system to determine who was going to come for the interviews. He had to meet those qualifications. I don't know what they were. Maybe some of the other members of the committee will tell us.

That gets to another interesting question: how all this came here. I thought this stuff was confidential. It's not confidential. It's perfectly open. We're talking about people. It makes it very difficult for people to apply for these positions in the future, knowing that their names

are going to be bandied around in this place. I have a lot of difficulty with the issue of confidentiality.

The process was that they had the interviews, and each member on the committee set a number of points to each of those people who were interviewed. Mr Miller won.

**Ms Churley:** Because it's a Tory majority.

**Mr Tilson:** The member says, "Because it's a Tory majority." Guess what happened when Eva Ligeti got appointed? It was because there was a different majority.

**Ms Lankin:** No, not because. It was unanimous.

**Mr Tilson:** One of the members has said it's shameful to say that this candidate has no interest in the environment. That member right over there said that. I find that offensive. When you look at the man's qualifications, when you look at the fact that the votes were added together, he won the job. The difficulty is that they didn't like that. They're in the minority, and that's the way it works in this place. That's the way it works in a democracy. So they've decided to go through this process and filibuster this thing.

I wish you all a Merry Christmas, incidentally. It's unfortunate that we have to end our session in this way.

I have high hopes that Mr Miller will be appointed. I'm certainly going to support him whenever we get around to voting on him, and I'm doing that because I have confidence in the process that this place has used over the years, a process of devising points—

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**Ms Lankin:** This is the second time only.

**Mr Tilson:** No, I'm sorry. I'm telling you that the processes that I've watched for the Provincial Auditor, Environmental Commissioner Ligeti, the privacy commissioner and the Integrity Commissioner were basically the same for all of those appointments.

**Ms Lankin:** All unanimous.

**Mr Tilson:** I can tell you that's not the case. Contrary to what you do, I'm not prepared to tell you how people were voting in that confidentiality, and that's the way it was supposed to be.

I simply say that Mr Miller has qualified through all of the various stages. He had two interviews, he was voted on, the points were allotted and he won the job.

**Mr Bradley:** There's the note that says, "Ask for closure."

**Mr Tilson:** We'll see what it says. I can't read the writing. I'm sure it's very important.

I want to comment on the member up here who quoted me back in 1994 on how I supported Ms Ligeti. When the New Democratic Ministry of the Environment recommended her to that committee—guess what her political affiliations are? I don't know. But it is strange that when a New Democratic Ministry of the Environment recommends her to the committee, guess what her politics are? I don't know.

The quote was that I supported Ms Ligeti, and it was based on qualifications. It wasn't based on whether or not she was a supporter of the New Democratic Ministry of the Environment. It was based on her qualifications to handle the position. She went through two interview

processes. She was also assessed by the human resources people as to her background and her qualifications, and I, like the other members of that particular committee, believed that she should be the person to be named Environmental Commissioner, and she was.

It's regrettable that the Liberal and NDP caucuses can't take that same position. I have no idea why they are trying to set the precedent by saying that if you belong to a political party, if you've run for office for a political party, particularly if you're from North Bay, that you're disqualified from these positions. What a terrible thing to say. When you start looking at the qualifications as to what you're supposed to do when you're Environmental Commissioner, you're supposed to understand the process of this place; you're supposed to understand politics. Mr Miller should be supported.

**Mr George Smitherman (Toronto Centre-Rosedale):** I expect to share my time with the member for Scarborough-Rouge River.

It's my pleasure to have an opportunity today to participate in this debate on the issue of the Environmental Commissioner. I should say, as a stage-setter for those watching at home, that as we're here in the chamber, just across the way, wafting from the offices of the government whip, are the great smells of cigar smoke. I don't raise this point because it's illegal, of course, here in the city of Toronto, but I make the point more because it's awfully reflective of the government opposite. No doubt the cigars have been broken out in celebration of one more effort on the part of this party to forsake independence and the accountability of this very chamber.

I must say this has been an interesting debate, because within we have seen two very big extremes. We have had speeches from people with extraordinary credibility on issues as they relate to the environment. My colleague the former Minister of the Environment, Jim Bradley, offered a very clear reason why this appointment is an inappropriate one.

At the heart of that issue is one word, and the word is "independent." We will hear a lot, and we have already in the course of this debate, about party politics, and there is a reason for that. The reason is that in a very few cases, approximately five, there is the appointment of people who report to this chamber, whose very independence ought to be the central requirement for them to fulfill their duties appropriately.

This is not saying there is no place in government for the appointment of people who share a view, a philosophy or an ideology that is similar to ours. This is a debate that suggests that in a very select number of cases, at least five, the positions that are appointed to, to represent the views of Ontarians and to reflect on what the government does, call for independence, and that's what is missing in this process.

As we wind down here before a break, we see a government prepared to ram this through, one more concession to power politics at the expense of the power of this assembly.

Accountability is fast disappearing: closure, time allocation, lack of public hearings, committees that fail now to travel and collect the views of people out there, no amendments. In summary: no input, no input from anybody.

I talked earlier today about omnibus bills, about the King Henry VIII clause that we find affording powers that once belonged to this assembly and the 103 servants of the people sent here, duly elected, democratically representing people from across this great province—gone, transferred forever and a day until some Legislature with courage takes those powers back and restores them in the hands of the duly elected people who fill this assembly.

The new members opposite are here tonight and they will dutifully vote, but I appeal to them. Think about what this means for you in the longer term. Does the public have a right to independent analysis on some of the most important affairs of their government? That is the issue at hand here. The answer I think is yes, except and unless you're a Tory member. The Integrity Commissioner, the privacy commissioner, the auditor, the Ombudsman and the Environmental Commissioner: These are positions in whom we place so much trust and confidence, who report to the assembly, and who as a basic tenet of their responsibilities, their jobs, must be—the word, the notion—independent.

Those of us in politics all know the phrase that if there is a perception of conflict of interest, there is one. We use that; we all have. Everybody is guilty on all sides and in all chambers like this of reaching too far. That is not the case in this case. We must draw a circle around those five important positions. They must have the highest standard of independence possible.

Earlier today the Premier asked whether people should be disqualified because of their political affiliation. It seems to me that in the case of these five positions—the one that is before us tonight—the answer clearly must be yes.

Political patronage has a role. We all know that. We all know we need people of similar political affiliation and ideology to ensure that the public policy developments and procedures we implement as government are implemented at all levels. That is appropriate. Balance is appropriate as well.

But other positions, like the ones the Premier mentioned today where he rolled out the names of politicians of other political stripes that he has appointed, do not hold the same level, the same standard, do not have the same test, and that is, their independence. That is the role they play in reporting to us, all of us as members, not working on our behalf as implementers of government policy. That is the difference here.

I have no doubt that Mr Miller has some good credentials with respect to his role around environmental issues, but it is the very lack of independence that he has, because of his political affiliation, that taints him for this job.



In fact because of the government's ability to stack boards—the Ontario Municipal Board is an example. It is examples like that that call for someone who has got integrity from the standpoint of political distance from the party in government. That is exactly why we need people who don't share that. Who will speak up for the impact of policies on places like the Oak Ridges moraine, where, as we speak, 3,500 new homes are being built from a swath of land that was just a few days ago a pristine forest? Who will represent those views? It seems to me we have a very great need in this province for an Environmental Commissioner who can do that.

2230

The Premier often speaks in this place with rhetorical flourish of worst to first. One can easily imagine Premier Harris saying: "We just passed Oklahoma, and look out, Texas, here we come. Just doing what we said we'd do."

Show me in their Common Sense Revolution or their Blueprint where it said, "We will become a world leader in environmental degradation." That is your proud record.

We all benefit from association with people who support us in our political work. I have a riding association president whom I believe is the finest riding association president in Ontario. But if I were standing before you as part of a government and suggesting that based on her abilities and experience she should be appointed to a high office, you would stand and say that is inappropriate.

In the case of these five positions, can you imagine if the tables were turned? The member from Barrie shakes his head no. Could you imagine being in a similar position? I think that's one you should work to try and do, to see whether that role of independence meant anything to you, whether the accountability of this place meant anything, whether your rights as a member meant anything, whether your role as a democratically elected person mattered any more, or do you succumb to the powers and pressures that come from those above you within the government?

I think it's really important that members reflect on this, that you stop and take a second thought and that you put yourself in the shoes of others. I make that appeal to the government opposite.

There are many new members I have had the chance to meet in the few days we have been here. They come with a sense of idealism, I think. They share an enthusiasm for this job, not dissimilar to the one I bring to it. But I must say, as someone who has had the opportunity previously to work in support of politicians at all three levels of government, I have had experiences that didn't properly prepare me for the kind of power politics the government opposite is prepared to play, the kind of role the government opposite is prepared to play in the diminishment of this place as an important institution in Ontario.

Earlier I talked a little bit about the role this place plays now. The government takes upon itself all of the powers and brings them and transfers them to the cabinet. Question period is a place where you come if you can;

you don't necessarily get here. We are one more time on the precipice of what I think is a slippery slope to making this a less relevant and much less accountable place.

I understand the political motivation for all this. After all, a government like yours, with a poor track record like yours, with policies that have led to extraordinary environmental degradation, can't be too excited at the notion of having an independent-minded Environmental Commissioner.

But with your very strong rhetorical appeal and commitment to issues around finance, could you imagine that, were the tables turned, a government of a different day and of a different political stripe would attempt to appoint a Provincial Auditor who had run in two recent elections for the party in office, who had served till that very day as a high riding officer in the same party's organization in the home town of the leader of that government? I think not. Some of you will easily shake your heads and disagree with that, but in sober thought, I would appeal to you to think that through very carefully, because surely enough, the tables can be turned. We will not necessarily always experience the situation in which we find ourselves today.

I'm best reminded of that because for three years in my life I had the opportunity to serve a gentleman by the name of Hugh O'Neil, the member of the riding then known as Quinte. I think members opposite who knew him, as members on this side did, would know that he was one of the finest members ever to serve this place, perhaps a little less partisan than some of us. He's someone who, in his length of time here, 20 years—he was elected first in 1975 and re-elected until he chose not to run again in 1995, and served in both government and opposition. I had the honour of serving with him when he was a minister in this place in the Peterson government, and he reminded me every single day—the member opposite hisses, and I hope he is not hissing in response to the fine memory and record of Hugh O'Neil in this place, because that member couldn't carry Hugh O'Neil's lunch, I should say.

Hugh O'Neil reminded people who worked with him every single day about the importance of remembering where you came from, not just where you were at the moment but where you came from, and how different it might look in an opposite role. In that regard, he had the opportunity, as I mentioned, to serve as a minister in the Peterson government, and he did that with pride. He also served for most of his career as an opposition member, and he carried that with respect, with dignity, the understanding of the role of this place, the special importance that this place plays in the history of Ontario. He carried that with him every single day wherever he went, in whatever role he was playing. In the memory of people like him, who are a dying breed, I must say, I implore members opposite to think twice about this. Think what the impact of this is in the longer term on your relevance as a member here.

We've seen this bum's rush towards the elimination of the role of MPP, other than television, which has turned

this place into a television studio—I was going to say a debating society, but let's be clear. Even that is irrelevant, because no one can be swayed. Even amendments that have been made clear to the government by their own members on legislation that is before them are no longer considered lest it be a sign of weakness or an opportunity for others to bring forward amendments as well.

Take a long, hard, close look at the slope that we are on, because the other end of this ride is not a very good place if democracy means anything to you.

I mentioned earlier that there were some new members. The member from Willowdale, who has previously served, I think, on the school board and perhaps North York city council as well, no doubt with his eye on Christina Blizzard's promise of a car and driver announced this morning—the sweepstakes are on, who will serve as the new minister. He ramped up the rhetorical flourish in this place today in his rush to first place in that sweepstakes. I implore him and others on the other side jostling and jockeying for that role as minister, for that idling car and driver, to ask yourself the question, what will be left?

**Interjection:** Eat your heart out.

**Mr Smitherman:** The member opposite says, "Eat your heart out." Well, we'll all be holding our breath to see that particular member as a minister.

Soon we will leave this place for a break. I must say I'll miss everybody opposite. But what will we leave here? What will be most remarkable, most memorable? What will be one of the last things that we accomplish? The record will clearly state that the Ontario Legislature, in one of its last but perhaps not finest moments, has appointed a Tory hack to a position where he will be expected to enjoy a lower standard than the employees he is to supervise.

2240

I want to say very clearly I wear the word "hack" like a badge of honour because I have experienced great and enjoyable things in politics. But I would say that it's quite a remarkable thing that we talk about a gentleman and we talk about his political lineage, and the members opposite don't see that as a problem. They don't see that as an interruption in the role of independence and respect and dignity towards the Legislative Assembly. Yet the very employees that this gentleman will be asked to supervise the first day that he takes that office officially are forbidden from exactly the same kind of political contact and involvement that he has. If that does not make the point clearly enough to the members opposite, then really we have an even bigger challenge around this place. If that's the best we can do for the integrity of this place and the legacy of our province, then it's a very dark day indeed.

We hear so often from the members opposite about how they are doing what they said they would do. I mentioned a few moments ago that I thought the Blueprint and the Common Sense Revolution had somehow missed how the province would be on this chase to number

one—number one with a bullet, as one of the members said earlier—towards environmental degradation. The province of Ontario, in a very short period of time and under your leadership, the leadership of Premier Mike Harris, has become a jurisdiction best known around North America as a dumping ground, a dumping ground for all kinds of unwanted matter. No protection any more, none built in; all seen as red tape. It's interesting that the only red tape that we've seen proposed by the members opposite came from a private member, and that was to try and tie the hands of food banks.

In contrast, our party talked clearly in the election campaign about commitments to convert Ontario's five coal-burning plants to cleaner burning natural gas. Isn't it interesting that in a province that has made this great leap up towards number one, passing Oklahoma and all of those other jurisdictions so well known for their protection of the environment—Texas is coming. I hope they know that we're fast approaching and hoping to pass them before the end of 2000, just in time for the federal election in the United States.

We've got a lot of work to do with this government opposite. Our party has made very strong commitments with respect to the environment. Yet every single day we hear in this place the rhetorical flourish at the end of all speeches about how things are improving for the lives of Ontarians. I'm one Ontarian who in the last two years has had to return to using a puffer. My asthma, long since having disappeared, has come back. Bad weather days in August mean that my lifestyle is very much changed as a result of poor air conditions that confront us here in Toronto.

We see a government that has no policies with respect to the sustainability and livability of the urban environment that is the greater Toronto area, where 4.5 million people now live and 6.5 million people are forecast to live within 20 years or so. Yet we see government policies, through the OMB and other places, working hard to produce as much sprawl as possible, Uxbridge being the greatest example. No transportation infrastructure to link that community to York region and Toronto, where the jobs would be for those people—95% of them at least forecast to come there—and no roads, yet the Ontario Municipal Board has the strong support of the Minister of the Environment to cut down trees and put our water at risk.

**The Acting Speaker:** Further debate?

**Mr Galt:** It's been interesting to listen to some of the ranting and raging that we've heard in the House here this evening.

Before I get into my presentation, I would like to extend a very Merry Christmas and all the best in the new millennium, the next millennium, to those on the other side of the House as well as our own party, and particularly to the constituents in Northumberland and also that part that's extending into Quinte West.

I was listening to the member for Toronto Centre-Rosedale talk about an exceptional member who served in this House for many terms in the person of Hugh



O'Neil, and he's absolutely right, just an exceptional individual. But I would suggest to the member for Toronto Centre-Rosedale that Hugh O'Neil is probably far more conservative than most Conservatives are; a very conservative-thinking individual, certainly thinking about the economy and the economics of the Quinte riding. That was one of the reasons why he was so successful and actually got a lot of Conservatives to support him.

I sit here listening this evening to the debate and just kind of wondering what the whole purpose is, where we're going and why we're into this whole thing. Of course, the debate is being forced upon us by the opposition in connection with this motion. They're out to try and embarrass the government over an issue that really isn't an issue and they're getting absolutely no attention whatsoever in connection with this.

I think it's interesting to walk through just a little bit about what has happened. There was an advertisement placed in the *Globe and Mail* back in September. The closure, I believe, was early October. I'm looking at the requirements for an eligible candidate:

"Eligible candidates for this position would have knowledge and understanding of government, a broad knowledge of environmental issues and legislation, labour protections, and senior administrative experience. An understanding of legal principles and practices relating to evidence, witness examination and disclosure would be desirable. Knowledge of French is an asset."

Nowhere in here do I see that it says anything about declaring your partisan politics, whether you've ever run before, whether you are president of a partisan organization or not. It doesn't mention that you should list your religion, whether you're Roman Catholic or Muslim or belong to the United Church. It doesn't mention your age, although he did put that in his application. Marital status is no longer required. It's a wonder the opposition are not complaining that it doesn't tell us about his marital status or about his religion. It's a wonder the NDP is not keen on the ethnic background so they can get all these job quotas and everybody slotted in. It's a wonder they're not upset over that, that we get the right number.

It has already been pointed out in the election of a Speaker in this chamber. The member for Etobicoke Centre was the Speaker for roughly three years in the previous term, and I would suggest that particular Speaker was as neutral and unbiased as possible. He actually bent over backwards and put the government at more disadvantage, ruled more for the opposition and gave them the advantage while he sat in that chair. I can understand the reason for that, to make it at least appear balanced here in this House. I would suggest the member from Oakville is doing an excellent job, again somebody who carries party membership, as does the member from Etobicoke Centre. As a matter of fact, today he didn't hear a no on this side. I heard a half dozen noes, but he was bending over backwards to be as fair and to appear as fair as he possibly could, acting as Speaker in this House.

I would suggest that Gordon Miller, if and when he becomes the Environmental Commissioner, probably will operate in a similar manner, probably will bend over backwards to be fair and to appear fair, and as a result of that, probably will be one of the toughest environmental commissioners this province has seen or ever will see, probably into the future.

As I look at the process—and there seems to be a lot of talk about this process—first the House leaders turned this to the standing committee on general government to select the Environmental Commissioner, and also the Ombudsman to the Legislative Assembly committee. It just happens to be that we have two of these people to be appointed at the same time. Both went through the same process. They seemed to like the process for the appointment that we went through to get the Ombudsman. They all seemed to like that, yet the very same process they don't like when it comes to the Environmental Commissioner, all because of a party membership. I know everybody in this House, at least the elected members, has a party membership and I'm sure each and every one of them is very proud of those memberships that they carry. There are a lot of other people in Ontario who hold memberships; thousands of people who hold memberships, tens of thousands, maybe hundreds of thousands who helped in the campaigns and are very proud of that.

This is all about the democratic process that we have in Ontario, here in this great country that we call Canada, more or less based on the British system. It may not be the most perfect democratic process in the world but it does work and it's one of the better ones we have. I have the greatest respect for anyone who takes part in any kind of party politics in the democratic process, whether it be Liberal, NDP or PC. They are working towards better government for Ontario. That's exactly what Gordon Miller has been doing. He's run on two occasions, he's been active in the party and, as I understand, he was the president of the federal riding association. My hat is off to him for doing his part in the democratic process, just as everybody elected in this House has or who has ever been here.

#### 2250

It's unfortunate for him that he ran out of time when the right vote was being split between the PCs and Reform Party, guaranteeing a Liberal win in Ontario. The only reason that Chrétien happens to be the Prime Minister of Canada is because the vote on the right was being split. He happened to be one who got caught in that split vote.

I'm sure this evening Gordon Miller is watching the proceedings in this House and I'm sure he's feeling very uncomfortable about this whole thing. How would anyone in this House feel if their name was before this Legislature and they were being grilled, as the NDP and the Liberals are grilling him here this evening? I think it's extremely unfortunate for a man who has qualifications, and the qualifications this individual has are very impressive.

This individual—just the summary alone—was 12 years designated as a provincial officer under the Environmental Protection Act, the Ontario Water Resources Act, the Pesticides Act and the Environmental Assessment Act. He participated in the implementation of the Environmental Bill of Rights from its passage in 1994. He's worked in the enforcement and implementation of environmental legislation.

He's been involved in and has all kinds of experience with the Gasoline Handling Act, the Planning Act, the Lakes and Rivers Improvement Act, the Conservation Authorities Act, the Public Lands Act, the Aggregate Resources Act, the Mining Act, the Dangerous Goods Transportation Act, the Endangered Species Act, the Beds of Navigable Waters Act, and also federal legislation such as the Fisheries Act, the Canadian Environmental Protection Act, the Canadian Environmental Assessment Act and the Transportation of Dangerous Goods Act.

He helped to draft Ontario regulation 435/93 for the certification of water and waste water operators. He has trained Ministry of Environment abatement officers for some four years. He has developed and has taught two courses in environmental legislation in a college-level environmental protection program. He has worked as a senior manager in human resources for MOE. He has worked with the provisions of the Environmental Protection Act. He's participated in investigations involving whistle-blowers. Imagine, these kinds of qualifications and the opposition is complaining.

He has had all kinds of senior administrative experience, some 11 years senior management experience in the public and private sectors. He managed a staff of some 21 and administered multi-million dollar budgets. He has trained at the Ontario Police College for the performance of duties as a provincial officer, including collection of evidence, preparation of crown briefs and presenting evidence in courts of hearings.

He has conducted several investigations collecting evidence and prosecuting violations of environmental protection. He has personally given evidence in court at the Environmental Appeal Board and the Ontario Municipal Board on several occasions. He has acted as an agent for the Trout Lake Conservation Association in an appeal before the Ontario Municipal Board regarding the lakeshore capacity issue. He has designed and conducted training in presenting evidence in courts and in hearings.

This just goes on page after page with the kinds of things this man has been doing. He's got to be pretty good because he has a BSc and an MSc from the University of Guelph, and anybody who has graduated from the University of Guelph just has to be a good candidate.

**Interjection:** Just like you, Doug.

**Mr Galt:** Actually, I do have a degree in pathology from there and my veterinary medicine degree came from those buildings, but at that time it was the University of Toronto. That kind of dates me pre-1964, and we won't say just how pre-1964 that really is.

He started off his career history in 1977 as manager of Bio Systems Inc in Guelph, an environmental company; the next year, manager of Pot-Cal Ltd in Parry Sound. I suppose that makes it bad because that's where the Minister of Finance is from. So he also worked in that riding.

He was also staff with Mid-West Manufacturing in Thunder Bay—horrendous experience in the north. In 1980-82, he was a scientist with the Ontario Ministry of the Environment; in 1982-86, a senior environmental officer; in 1986-89, a professor at Sir Sandford Fleming College, the Frost Campus in Lindsay. I suppose that's bad because Lindsay is in the riding of our Chair of Management Board. In 1989-93, he was a senior manager, training and development, with the Ontario Ministry of the Environment right here in Toronto. Well, maybe he lived in an NDP riding when he was here, and that would be good for him. Then, in 1993-97, he was district manager in the North Bay district office.

We've heard so much about him being from the Premier's riding. He didn't get there until 1993. It's quite recent that he's been in North Bay. Presently he's president of Miller Environmental Service Inc in North Bay, Ontario.

Other experiences: He's been a trustee with the Timmins Board of Education. There must be something good about it that the opposition would like. I think it's interesting that he also went abroad in 1991. He was a visiting professor in the People's Republic of China at the Chengdu Management Training Centre in Chengdu, Sichuan. In 1992, January to April, he was a professor at Sir Sandford Fleming; in 1990-1993, vice-president and co-founder, Roadside Heritage Trees Society; in 1992, president of the Ontario chapter of the Canadian Land Reclamation Association; in 1997-99, professor at Canadore College for environmental law I and environmental law II, and it goes on: waste management, rehabilitation etc. In the fall of 1999—that's current, right this year—he's professor, part-time, at Nipissing University. I suppose that's bad because that's in the Premier's riding. That's unfortunate.

His has membership in and is affiliated with many organizations: Trout Lake Conservation Association, Lake Nipissing Partners in Conservation, Restore the Link Committee, Canadian Land Reclamation Association, Nipissing Naturalists Club, Roadside Heritage Trees Society, a co-founder, Canadian Chestnut Council and Ducks Unlimited.

This resume goes on with another 17 or 18 papers that he has given and I would expect these are peer-reviewed papers, scientific papers that he has given literally all over the world. I think it's interesting that many were given in Sudbury. I would think the member for Nickel Belt would be quite enthused that he was looking after the Sudbury area and would be very supportive of that particular qualification.

I just highlighted the kind of qualifications this individual has. I thought it was important to put on the record and to let the people at home realize the kind of qualifications this individual has and, over and above that,



taking part in the democratic process, both as a trustee and in politics federally and trying his very best to do what he believed in for the federal party. Of course the opposition are trying to make political hay out of this particular situation.

A few minutes ago, the member for Dufferin-Peel-Wellington-Grey, made an interesting comment about partisan politics and appointments, and that was with the person, David Agnew, who started out as a campaign manager for the NDP back in 1990. I guess he did quite well because he got Bob Rae elected, in spite of Bob Rae—he was pretty surprised that he got elected. He said he wanted to be Premier in the worst way and that's exactly the way he got it, the way the Liberals left Ontario, in the worst possible way you could imagine.

They claimed they had ended up with a balanced budget when we all know what happened. They juggled money around April 1. They got a big windfall from the federal PCs and then they didn't know how to handle it. They showed it was balanced, but when the NDP got it, they found it was several billion in deficit back in 1990.

Here was a man, David Agnew, who went out campaigning for a political party and then became chief of staff for Bob Rae. I can understand his being chief of staff, that makes sense, but then to move on and become secretary of cabinet—for people who may not understand, that is the top civil service position in the province, supposed to be reasonably neutral, working for the party in government, working for the people of Ontario, not expected to be a partisan kind of role. But lo and behold, that's what the NDP did.

2300

I really hate to bring this up, but I recall back in the 1980s the situation with Patti Starr. I read Patti Starr's book. Of all the tearjerkers I've ever read, reading about Patti Starr when she was in jail pleading for help from that party, the party she had worked so hard to raise funds for and which turned their back on her, talk about terrible partisan politics. They wouldn't even help somebody who ended up in jail. They totally turned their back on this woman who had tried so hard for that party. She went out fundraising, was very active with the party, and lo and behold, when the chips were down, that's when they let Patti Starr down. Mr Speaker, if you haven't read the book by Patti Starr, it would be good reading for you because I know that in your role you'd be particularly interested in reading about it.

I read it prior to getting involved in politics and it really affected me very much, that that kind of thing could go on in politics when somebody is working for the democratic process. I think it's most unfortunate. That was back in the era when—you talk about arrogance—we were seeing arrogance in the province. The Liberal Party had just dumped the NDP, following that unholy alliance while they were in bed together. We still see them working together and it's hard to tell which is which, they're both so far to the left. I know Dalton McGuinty is not that far to the left and that's one of his biggest problems: He tends to be to the right of the Lib-

eral Party but his workers have taken him way off to the left and he's so uncomfortable over there—

**Mr Wettlaufer:** Which leader are you talking about?

**Mr Galt:** I don't know which leader I'm talking about. There's the one who naturally is on the right, but there's this one who's been forced to the left because they think they can scoop some votes from the NDP. That's what they did with the strategic voting they had this past spring. I can tell you, it's not going to work another time around because the NDP is not going to allow that to happen. It just about decimated that party.

That was the unholy alliance that this province put up with for two years, and then we jumped from the frying pan into the fire and had a full Liberal government. I thought the NDP could spend well, but there's nothing by comparison with the way the Liberals put us in debt. They knew how to double the debt, they knew how to really run it up, and this was in the good times when the books should have been balanced, when we should have been paying down some of the debt. It was a good time for the province, and that was when the party was riding on the coattails of the American economic boom, not the way it is today when Ontario is leading all of the G7 countries.

There's no question I'll support Gord Miller as the next Environmental Commissioner for the province.

**Mr Richard Patten (Ottawa Centre):** The evening is getting late and I'm thinking of all of those thousands of people out there who are watching this debate and wondering what it really is all about. I would like to put on the record again, just so people know, that what we have here is a motion by the government House leader which is a "request for the appointment of Gordon Miller as the Environmental Commissioner for the province of Ontario as provided for in ...."

This is an extremely important position and one that should be taken seriously. I would like to try, even though this place becomes fairly complicated at times, to simplify what in my opinion the issue is. The issue is that unlike the vast array of appointments, this particular appointment is really for a position related to the Legislature. It is not a position related to a function of government per se because people know there is a difference between government and the Legislature. The Legislature belongs to all of the members and all of the people of Ontario. The government is separate.

The issue we face today is that back some time in August there was a proposal that was made to the House leaders which suggested that maybe a member from each party might get together and help work this out, which by the way has tended to be the tradition of looking at the positions of commissioners related to the Legislature. I believe that was the fashion in which the last privacy commissioner was selected. There was a member of each party. They worked with the director of human resources for the Legislature to help with the particular procedure and the approach to all this, and then they arrived at an agreement.

We did not have the hoopla we have today, we didn't have the acrimony we have today, because it was acknowledged that it was important to arrive at a consensus and that the position being supported by all parties meant it was supported by all parties, by and large, except perhaps rarely a member or two might disagree, although that hasn't been the historical case in most recent times.

What happened was that this approach was suggested, that we have all parties make this decision; and then all of a sudden, a month later, the House leader from the government side said that approach was no longer on the table. "Oh. Well, what will happen?" "It'll go to the committee." As people will know, all committees are controlled in a way by the government side because they have more members, so they can always outvote the opposition parties.

It's not surprising that a degree of suspicion would begin to surface around: "What's going on here? Why?" Of course we didn't know for a long time, and then as people became suspicious, they began to ask questions, they began to talk, they began to do research etc. Oh, all of a sudden there was a particular candidate.

I believe I have met Mr Miller, but I do not know him very well and I will not cast any aspersions on his character or anything of that nature. All I want to say is that in the position of commissioner heading up a legislative commission that is accountable—and the people of Ontario should know this: This person does not report to the government. This person reports directly to the House, and therein lies the dispute and the dilemma.

The affiliation in this particular instance I believe is important. The information is available. We know that Mr Miller is on the list of having contributed over \$100 to Mr Harris's campaign. They're all there and they're publicly listed. I'm sure all parties check on who's giving to whom and all this sort of thing.

**Mr Bradley:** Say that again.

**Mr Patten:** Contributions of over \$100 to Mr Harris's 1995 campaign. That's fine. He's been a Tory. I would like to think frankly that two things are different here. You might have still gotten him as the new commissioner. Perhaps if you had had at least the format of arriving at a consensus, maybe they would have selected him, but having made the offer, changed it to a government-controlled committee, and then that government-controlled committee bringing forward someone who has strong ties, it does raise the question of partisanship. Frankly, when we look at the recent history of the undercutting of this place by this government, then it is not surprising that there is cynicism and there is worry.

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A good man by the name of Dalton Camp writes a column periodically. He's a good Tory, a good Conservative, very thoughtful. I read him very often. He says that Harris brings out the worst in Ontario. In this particular instance he's talking about the Premier or the government just bypassing the recommendation in Ottawa-Carleton, a place in which I live—

### *Interjection.*

**Mr Patten:** That's true. He suggests that it would have been rising to the occasion of the very best to have accepted the commissioner's recommendation to say that we confirm that the linguistic status of Ottawa, the new city, is the same as it was for the old city. Done with that. But no, now what does it do? It brings out the very worst. This will be extremely divisive in our particular community. We will have APEC out and we will have all kinds of people who will be fighting and they will be bringing this up as an election issue in the next municipal elections, and it will be terrible pressure on a lot of those councillors.

At the end of the day—you all read polls—the indication is that obviously most people do support the nation's capital being an officially bilingual community. In the meantime, what have you done? You've alienated the francophone community. "We'll challenge them on their hospitals. We'll say it's done by way of the health restructuring commission." The health restructuring commission doesn't exist. It's an advisory committee; it has no legal status. The government says, "We will support them to do so." I'd like to follow that particular piece of legal work because I don't think they have the legal position in order to make the challenge in the first place.

This position is extremely important. I will read a little bit about the function of this particular commissioner and what he or she is required to do. But before I do, I want to refer to a couple of articles that talk about the importance of the environment in Ontario today. This one was in the *Globe and Mail*, "A Crisis is Blowin' in the Wind." It says: "Air pollution has been blamed for as many as 6,000 premature deaths a year in Ontario. That's the verdict"—not of an environmental group—"of the Ontario College of Family Physicians." They are saying this is a major health issue. "'All of us are affected by even very low levels of pollutants,' the doctors warn. These statements are startling but they merely echo the Ontario Medical Association's warning issued last year—that air pollution is 'a public health crisis in Ontario.'"

Anyone who takes a look at the impact of our air should look at what that is doing to our children. Having worked at a children's hospital for a while, I know—I knew this before but it's even worse now—that asthma is one of the fastest, most damaging afflictions affecting our children. Our children are having difficulty breathing. So what do we see? Do we see tougher decisions? Do we see trends by this government of tightening up, looking for alternative energy sources? Not too likely.

For example, "Right now, Ontario Hydro Networks is increasing its transmission capacity, and transmission lines," as everyone knows, "are two-way streets. The move is certainly going to mean that we buy more energy from the United States. The Americans use coal-fired plants and have surplus capacity they want to sell. Increased cross-border transmission will likely create a dramatic rise in coal-fired electricity imports from the United States—and because Ontario is downwind from



the US Midwest, we will in effect be paying foreigners to pollute us." This is absolutely incredible.

It goes on to say, "Ontario companies planning to generate more of their own electricity from natural gas—such as Dofasco and Falconbridge who are considering building their own natural-gas-fired power plants—will also have to pay higher transmission rates than companies that purchase all their own power from a Canadian or US coal-fired electricity utility. In effect, Ontario Hydro Networks will be financially penalizing environmentally responsible industrial customers who want to build cleaner natural-gas-fired power plants."

I'm trying to establish the importance of having, as has already been pointed out, an independent individual, and some euphemistically may use the term "watchdog," as it were, but that's the person's job.

When we look for a moment at what the person's job is, they say in his job description, in the functions of the Environmental Commissioner of Ontario, that the functions which are contained in the Environmental Bill of Rights include a number of explicit powers of review.

"In addition to fulfilling his or her other duties under this act, it is the function of the Environmental Commissioner ... to review the implementation of this act and compliance in ministries with the requirements of this act."

They say, "(f) review the use of the registry; (g) review the exercise of discretion by ministries under this act," and it goes on, but it talks about independence as a vital feature of the Environmental Commissioner's effectiveness, not only for objective oversight but especially for reviewing the implementation of and compliance with the Environmental Bill of Rights.

So you want an independent person. You want the Environmental Commissioner to be an independent and impartial person who is appointed by the Ontario Legislature, and by virtue of the nature of the process, that is not the case. He has now become appointed effectively by the government and we have discovered or we found out that he has special ties to the government, to the Premier etc. That raises questions of the ability and capacity for objectivity. Surely you would require that.

The nature of the Environmental Commissioner's legal obligations to report on ministry compliance make it likely that at least some ministry officials likewise may find some disagreement and the members of the government might find some disagreement, but that is his or her responsibility, as it is with our legislative auditor. Our auditor general for our province is also part of the Legislature and reports not to the government but reports and tables the report here in this House. He is there to comment on and audit what government operations and ministries are setting out to do or have done or are planning to do, and how efficiently and effectively that is done. This commissioner has a similar function without all of the abilities to do an audit, because this commissioner will not be able to do an audit but will report to this place.

When we look at the most recent reports, we certainly find out that there is a lot that is not right and not encouraging in the area of the environment. Before being fired, the former Environmental Commissioner, Eva Ligeti, said this about the government's environment policy: "If we continue along this path, our right to a healthy environment will be jeopardized. We cannot afford to focus on short-term savings at the expense of long-term environmental health."

Surely this is something that transcends and should transcend any partisan politics; it really should. No matter what your background is, surely you're concerned about your children, surely you're concerned about your grandchildren, if you have grandchildren.

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We know that our environment is deteriorating, that our air and water are deteriorating, and we know something has to be done about that. If the public and this House cannot be assured that you have a commissioner who is beyond question, beyond reproach, and is supported, as tends to happen, by all parties in this House—this is not going to happen. It would appear, and it has already been reported in the newspaper, that the government will get their man, as it were. As I say, this guy may have been chosen had we done what we did when we engaged the privacy commissioner. We could have had an all-party agreement and we would not be here debating this at this particular time. It is extremely important.

The area that is of additional concern is that most members in opposition feel there has been a continual undercutting of the role of this place. I don't know if this was yesterday or today, but Ian Urquhart wrote, "Tories Show Disdain for Legislature."

"As the fall session at Queen's Park winds down, it is becoming increasingly clear just how far the pendulum of power has swung from the Legislature to the executive in this province."

**Mr Gerretsen:** Shame.

**Mr Patten:** It is a shame. What it means is that the voice of each representative, regardless of which party, is less and less. It is becoming a presidential style of operating, without the checks and balances of the American system. More and more, every piece of legislation—13 bills were introduced; seven bills were time-allocated or put on for closure, which means limited debate, limited time. Our party in opposition alone introduced 15 bills. Some 13 bills, seven of them time-allocated, with closure: That's a disgrace. That means you're limiting the opportunity of all the various members to speak on issues that are of import. That is too bad. That is a shame. The diminution of the role of this Legislature—I say we have the most undemocratic Legislature of all the jurisdictions. I've never been challenged on that. I'd be happy to justify it, go in a debate with any member at any time, on the utilization—

**Mr Bert Johnson (Perth-Middlesex):** On a point of order, Mr Speaker: I challenge that statement.

**The Acting Speaker (Mr Michael A. Brown):** That certainly wasn't a point of order.

**Mr Patten:** I'd be happy to have a chat with my friend across the way on this issue.

My time is finished.

**The Acting Speaker:** Further debate.

**Mr Gilles Bisson (Timmins-James Bay):** I have to say that I've been waiting for some time for the opportunity to speak on this motion. Some people talk about Gord Miller. I know Gord Miller. He was a candidate in the 1995 election against me in Cochrane South.

**Mr Kormos:** You whipped his ass.

**Mr Bisson:** Peter, let's not go there.

Let me just say for the record that I've listened intently to the discussion on the part of the government about why it's so important that they appoint Gord Miller to this position. The government tries to make it look as if this person is totally impartial, as if this person has impeccable qualifications and would be able to do the job of being the watchdog of the government on the issues of the environment as they apply to the government. I have to say, I have a deep problem about what the government is saying, for a number of reasons. I went through the election of 1995, when the environment was one of the issues we debated at an all-candidates meeting in my riding. I remember well the position that Gord Miller took on a number of issues when it comes to the environment.

You would remember that it was the NDP government of Bob Rae, of which I was a member—I was quite proud and am still proud to have been a member of that government—that put in place the Environmental Bill of Rights. Under the Environmental Bill of Rights a number of things happened, including the ability to have an Environmental Commissioner oversee what a government does when it comes to its environmental record. The distinct impression I got as we went through that debate was that Gord Miller, although an employee of the Ministry of the Environment at the time in the city of North Bay, was not an environmentalist.

**Mr Howard Hampton (Kenora-Rainy River):** You mean they hadn't fired him yet?

**Mr Bisson:** No, they fired him later, and I'll get to that point.

At no time during that campaign did Gord Miller come out and say something outlandishly stupid when it comes to the environment, but I got the distinct impression—well, on other issues maybe he did, but on the questions of the environment, I've got to say it was fairly clear which side of the fence Gord Miller fell on.

I was the member who was under attack in that campaign. As a member of the governing New Democrats, I was the one who had to be accountable for a number of decisions that our government made. The Tories who lined up at the mikes at the all-candidates debate supported their candidate, who was Gord Miller, and Gord Miller spoke to some of the questions that were raised. I remember at the TH and VS auditorium, as we went through one of the key, crucial debates of that campaign, Gord Miller clearly stated in a number of statements he made through that campaign, "Yes, we have to be some-

what conscious of the environment, but we have to take certain considerations for business and making sure that we have jobs."

This person didn't go over the top and, I want to say in fairness, he was not an ultimate radical, but I got the distinct impression, as did a whole bunch of other people at those all-candidates meetings, that this particular individual, although he worked at the Ministry of the Environment, was not exactly a flaming environmentalist believing in all the issues having to deal with making sure that we have a sound environmental policy in Ontario.

I remember well in 1995 the positions that Gord Miller took. I find it somewhat interesting now that the government puts forward this individual as the one who is going to be the watchdog of the government's agenda when it comes to the environment, because I can say again, he ain't no environmentalist. That much is sure from the election of 1995.

I've got to say it's an interesting story about how Gord Miller became the candidate in Cochrane South in 1995. Let me tell you, because I know the Deputy Speaker would be very interested to hear, that in the riding of Cochrane South at the time, which was Timmins, Iroquois Falls, Matheson, the Tories were having a problem trying to find a Conservative candidate. Even then, even in the sweep of 1995, they were having a difficult time trying to find somebody to say, "I will be the candidate from Cochrane South and I will affix my name to the party label." And you know what? They couldn't find anybody within our own riding to run for the Conservatives. So in came a parachute by the name of Gord Miller.

It was interesting, because it was either at one of the all-candidates meetings or on one of the occasions that I had to talk to Gord where I said: "Gord, how is it that you've become a candidate? I know you were born in Timmins"—a very nice man, a very personable, very charming individual who did well in the election as far as debates. He was a fairly nice fellow, although very right wing and very anti-environment as far as I'm concerned. I asked him, "How is it that you became the candidate?" and he said: "Well, Mike Harris asked me. I'm his personal friend." He was asked as a favour by the then leader of the third party to run in the riding of Cochrane South because they couldn't find a candidate locally to run under the banner of the Conservatives.

I want to say for the record, in all seriousness, that this in no way, shape or form in my view detracts from Gord Miller as an individual. He was asked as a loyal Conservative member of the Conservative Party and a good friend of Mike Harris, who supported Mike Harris on a number of occasions at party fundraisers and various political functions within the Conservative Party, and a personal friend. I understand they walked their dogs together, actually, I've been told, in North Bay.

*Interjection.*

**Mr Bisson:** There are all kinds of lines.

**Ms Martel:** Mike tries to say he hardly knew him.



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**Mr Bisson:** I'm coming to that, to the member from Nickel Belt. I just want to say that the Premier tries to say that he hardly knows this guy. I have a hard time. I sit in the House and I listen to what the Premier says, and I remember what Gord Miller told me in 1995: "I was asked to run by the leader of the third party, Mike Harris, because we couldn't find a candidate in Cochrane South. I'm doing it as a personal favour to Mike." That's more or less what Gord Miller said.

I have a real problem with the government members getting up in this House and somehow saying: "We don't know this guy. We don't know who Gord is. Miller who? Where did he come from? Was it Timmins? Was it North Bay? He's very impartial. He's going to be able to go out and do a job as the watchdog." Hogwash. Like Premier Mike Harris, I'll say, "Hogwash." The reality is, this guy is a Conservative supporter. He's a person who has supported the Conservatives for years. It's no big secret in the community of Timmins. We know him well.

I want to say this for the debate, because in my community of Timmins there are going to be some people saying: "Gilles, why are you not supporting Gord? He's a local guy from Timmins." I want people to understand something. It's not the question that Gord Miller's a Conservative. It's not the question that Gord Miller ran for the Tories. He should be—let me come back and restate this the way I wanted to say it.

There are some people who are trying to say, "Quite frankly, Gord should get the job because he's the best guy for the job." I don't care if he is or isn't. The point is, he's supposing to be the watchdog on the government. The fact that he applied for this position and tried to hide from the Legislature, from our legislative committee that did the hiring, the fact that he was a partisan Conservative tells me that he cannot, in any way, shape or form, quite frankly, be non-partisan.

**Interjection:** No judgment.

**Mr Kormos:** He has no intention.

**Mr Bisson:** No. Let's review what's happened here. This individual applied for the position of Environmental Commissioner, and so he has the right. Just because he's a Conservative doesn't mean he doesn't have the right to apply, and if it was a non-partisan position and if it was a position which was not one of a watchdog, I don't think there would be much of problem.

I heard some of the members say, "Oh, well, Floyd Laughren got appointed to the energy board." Floyd Laughren didn't hide the fact that he was an NDP and was a dean of the Legislature when the government appointed him. People said: "You know, Dave Cooke got a job. Liberals like Bernard Grandmaître and Gilles Morin got jobs with regard to appointments by the government." At no time did those people try to hide the fact they were MPPs of the Legislature and that they were members of a party, because in those particular positions that wasn't the issue. You were looking for the best-qualified person to do the job.

But in the case of the Environmental Commissioner, as it is for the Ombudsman and as it is for a number of other issues, they are jobs that have to do with the confidence of the Legislature and have to do with the impartiality of the person who gets appointed to the job. If Gord Miller had come before the committee and said, "I give you my CV, and in my CV I say I was a candidate in the election of 1995 as a Conservative, I was also a candidate in the election of 1997 as a Conservative, and I am still the local riding association president of the federal North Bay PCs," then I would say at least he declared it. The members of the committee could have said, "Can you tell us how you will be impartial?" At the end of the day, you know what? I don't think it would have been an issue.

If he had declared the fact that he was a Conservative and he had been a candidate, that in itself wouldn't have disqualified him, because members of the committee would have known, square and upfront, where he was coming from, who he was, where he came from and what affiliation he had. Every member of the committee, New Democrats, Liberals and Conservatives, could have asked him questions on that particular point. But what bothers me and members of the assembly is that he applied, and on his CV did he say he was a former candidate twice?

**Interjections:** No.

**Mr Bisson:** Did he say he was a candidate for the PCs both federally and provincially in 1995 and 1997? No, he hid the fact. Did he say he was a Conservative riding association president currently in North Bay for the federal Tories? No, he didn't. He hid it. Then when he came before the committee for the first round of interviews on the part of the committee, did he come forward and respond on those issues to the committee? No. The fact is, this guy tried to hide the fact that he was a Conservative.

That is really the point of what this is all about. If this person had been upfront and said, "I am a Conservative, here's my colours, and this is where I'm coming from," you know what? You would have been able to get away with what you're trying to get away with because at least it would appear to be clean. But the guy tried to hide the fact that he was a Conservative, and not only that he was a Conservative but that he was a close personal friend of Mike Harris and a lot of his allegiance had to do with the relationship he has with the Premier of Ontario.

**Ms Martel:** He's still friends with him.

**Mr Bisson:** I'm going to come to that point in a second. The point is this guy tried to hide it. How can we, as members of this assembly, have confidence in somebody who tries to hide the fact that he is so connected to Conservatives and so connected to the Premier of Ontario that he tries to hide it? It tells me he's got something to hide.

Can he really be impartial when it comes to his position? I want to ask members of this Assembly, does anybody believe that somebody who would hide the fact that he was not only a card-carrying Conservative but that he had been a candidate twice, is a personal friend of

Mike Harris, walks his dog with Mike, was the riding association president federally and still is—and doesn't want to resign, by the way. That's one of the discussions I've heard about.

I don't know how this guy can be impartial, because we know that the position of Environmental Commissioner has to do with being a watchdog on the government's agenda. How can this guy be the watchdog if he's a personal friend of Mike and tries to hide the fact that not only is he a personal friend but, quite frankly, he's a long-time Conservative?

I come back to the point that was made earlier by my friend the member from Nickel Belt and also the member from the former riding of Riverdale, that on the question of when it comes to the person who does the job of Environmental Commissioner, there are certain guidelines and policies that have to be followed. I just want to put for the record, for those people who are watching, under the operational policies for the position of people who work for the Environmental Commission—we're not talking the commissioner right now; we're talking about the employees—it says:

"ECO employees must not participate in activities that might identify them as members or supporters of a political party .... The following are examples of prohibited political activities: ... party/riding association director or executive member," etc.

If it's good enough for the staff of the Environmental Commission not to be partisan and belong to parties, why is it that we, as members of this assembly, would say, "Oh, it's no problem. Gordie's a long-time Conservative. In fact, he was at Mr Snobelen's fundraiser not more than two weeks ago, auctioning off"—we're not going to say what he was auctioning.

*Interjection.*

**Mr Bisson:** A pair of trousers from Mr Snobelen at a party fundraiser two weeks ago. And this guy is applying for the position? How can he be non-partisan? Excuse me. I have to believe that there is some level of intelligence within the Conservative caucus benches.

I want to suggest something to you. Let's take a little walk here, not too far. If you're the person who's applying for the position of Environmental Commissioner and you know that the members who work for the Environmental Commission don't have the right to belong to a political party and, all of a sudden, you try to hide the fact on your application, does it tell me that you knew you were in trouble when you started? That's exactly what it tells me.

I want to put this for the record, especially to the constituents within my riding, because Gord is from Timmins, his parents live in my community, he is a person of long standing, has done a lot of service in our community. It's not a question that Gord is a bad guy. It's not a question that just because Gord is who he is that he shouldn't—the reality is that he tried to hide his affiliation to the party, which tells me he cannot do this job impartially. That's what it comes down to.

I've got to come back to the election of 1995. I remember that election well. Some members of this assembly will remember that it wasn't a good election for New Democrats in 1995. I remember that election. As a matter of fact—

*Interjection.*

**Mr Bisson:** We're up front. We have no problems in admitting when there's a problem. The first step is being able to admit it, you know?

But I remember that election well and I remember being at all-candidates meetings and on the campaign hustings as people raised a number of issues. With regard to the mining community, the environment was an issue that was raised. I remember well; I was the parliamentary assistant to the Ministry of Northern Development, under the capable hands of then Minister Shelley Martel, my good colleague.

*Interjection:* Are you looking for an appointment?

**Mr Bisson:** No, I don't need an appointment. I am a member of the Legislature, and doing quite well, thank you.

I remember that election well and I remember a number of the key issues that we had to respond to as members, not only as a member of the assembly but as a candidate in that election.

People were raising genuine concerns because they saw what was happening in the economy. They were saying: "Gilles, your government has been pretty strong on environmental issues. Your government has put forward issues like the Environmental Bill of Rights. Your government has been tough on polluters. Your government has dealt very strongly and very effectively, I would add—"with a number of issues around the responsibilities of the mining industry when it comes to environmental issues."

The innuendo that was being put forward at those particular all-candidates meetings was that our government was too environmentally friendly. Through that whole debate, Gord never ran away from the fact that he thought a number of the things we did were wrong when it came to making sure those companies were held accountable.

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I've got to say to myself that, on the basis of what I saw during that campaign, I have great difficulty in trying to believe that the government believes this person's going to be impartial. I say again, he ain't a bad fella. I think as an individual Gord Miller stacks up with the best of them. He was a credible candidate for the Conservative caucus. He did a great job in that campaign trying to put forward the points of the Conservative caucus. He ran second to me. I have no ill will towards Mr Miller. But the issue is that this guy is no flaming environmentalist, I can tell you from the results of that election. As I went through the debate of that election, it was pretty clear he was positioning himself with the big companies, not with the environmentalists.

I look at the long list of contributors who gave to this individual in the election of 1995. I can go through this



list, most of which are very large mining operators and forestry operators within our community. You know what? There are not a lot of those who gave to the campaign of Gilles Bisson, New Democrat, because they said to me, "You know, Gilles, you've been too strong on the environment." That was one of the issues. "We're not about to give you a bunch of money, because you cost us money. We've had to put in tougher measures when it comes to making sure the water isn't polluted, the air isn't polluted and the land isn't polluted when it comes to mining."

I'm not going to get into names, but one particular company on this list that gave him 750 bucks basically was very—

**Mr Bradley:** Name the company.

**Mr Bisson:** No. Listen, they were very direct when we gave them a call about a contribution. They said, "We're going to support the Conservative candidate in this particular election because they're not as tough on the environment as you people have been." I've got to say to myself that I've got great big difficulties when this government's trying to tell us that all of a sudden this guy's going to be the watchdog. He's going to be an awful small pooch. He's not going to have any teeth and he's certainly not going to have any tail, because this guy—

*Interjections.*

**Mr Bisson:** Dave, you shouldn't have done that. But I've got to tell you, he's going to be one small pooch and he ain't going to be barking too loud when it comes to—

**Ms Martel:** Protecting the environment.

**Mr Bisson:** —protecting the environment or, quite frankly, trying to be the watchdog for the people of Ontario when it comes to how this government's agenda is affecting the environment.

You guys can cut it any way you want. The issue here is, this guy tried to hide the fact he was a Conservative. As far as I'm concerned, he is basically outside as somebody who should be accepted, on the basis that he hid who he was and his close affiliation to the Premier. It says in the policies that people working for that agency should not be politically affiliated and cannot be, and this guy is. In my view, it's fairly clear. What you guys have got here is somebody who cannot be impartial, and I quite frankly am going to vote against the government's move to appoint Gord Miller on this particular issue on the basis of what I've seen and what this guy is doing.

**Mr R. Gary Stewart (Peterborough):** I'm going to share my time with the member from Niagara Falls because I don't really want to speak very long tonight, and what little I will, I speak with some degree of disgust. I cannot believe that in this House, where we class ourselves as honourable individuals, anyone would character-assassinate an individual like this. This afternoon, we heard him likened by the Leader of the Opposition to a Nazi. We are hearing tonight—

**The Acting Speaker:** I've heard that word used. This is the third time. It won't happen again. I want you to withdraw that word.

**Mr Stewart:** I withdraw. I heard him likened to somebody whom all of us do not like the characteristic they were talking about. I hear him being talked about tonight as hiding things. I hear about him not being trustworthy. I hear about him being bought. I am ashamed to be in this House tonight.

I had the privilege of chairing the committee that selected the Ombudsman, and it was done in a very professional manner. When I asked people not to breach confidentiality, to a degree it wasn't. But when I listened to what has happened with the other committee where they were in camera—I believe the comment from the member from Broadview-Greenwood was, "I blew the whistle." Isn't that a wonderful statement on behalf of somebody who is elected to help govern this province? You talk about arrogance. I have heard that word from across this House for the last three weeks. You talk about arrogance and character assassination. I hope Mr Miller's not listening tonight and I hope there are very few people in Ontario listening to what has gone on here tonight. I'm ashamed to be in this House.

I mentioned that we had done, I believe in a very professional manner, the selection of the Ombudsman. It was advertised. It was looked at by human resources. There were recommendations, there were committee selections and then we interviewed. It was my understanding this was what was supposed to happen here, but somehow, because of breach of confidentiality, it seemed to fall off the rails. As I say, I have a great deal of difficulty with that.

People have probably spoken tonight who have never hired a person in their life.

*Interjections.*

**Mr Stewart:** It appears to me they have.

The NDP couldn't have, because they never created any jobs when they were there, so they sure couldn't have hired anybody. This group over here is very similar.

But I thought when you looked at somebody, you looked at qualifications, you looked at track record and you looked at ability; you didn't look at associations. You're not allowed to ask about marital status, sex, whatever. But all of a sudden now because you are a member of some association, you're the bad guy. You talk about partisan politics. We have seen it all day today, and I think you folks have got something to worry about because he may just do, and he will do, a very wonderful job.

I'm going to say thank you, Mr Speaker. I don't want to listen to this garbage, for lack of a better word, any more. I will let the member from Niagara speak.

**Mr Bart Maves (Niagara Falls):** I want to thank the member from Peterborough for allowing me some time tonight, because as I listen to the debate tonight, I know that the person chosen for this job through a very fair process is eminently qualified. That's been made perfectly clear tonight. I think the Liberal Party members in the committee actually voted in favour of this person until they found out he had the temerity to belong to a

different political party, and then they decided to change. I don't want to get too carried away into that situation.

What I do want to talk about is a little bit about some history. I want to talk about something Bob Rae said, because it's the NDP that's really trying to occupy some sort of moral high ground on this ground. I want to talk about that. To set the tone, I'm going to be quoting a lot from a book called *Rae Days*, a book written by Mr Thomas Walkom, a writer well known to be sympathetic to the NDP. It was a book that was written about their term in office for five years. It's nice to know they have a history and that someone actually wrote it down.

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"The story really starts during a televised leaders' debate in the 1990 election campaign. Rae had been asked about the growing credibility problem faced by politicians. 'I think it comes from politicians who say one thing when they're running for office and another thing when they hold office,' he answered. Then, facing the camera, he outlined a credibility test voters should apply to any politician. Rae went on to say, 'What are people's records? What have they said in the past? Whose interests are they defending? Is this something they've said before, or is it something they're just saying now?'"

That's where this story starts. Then I want to go to chapter 4 of the book, which is called "Wackos from Outer Space." It starts off rather ominously, when they talk about the swearing-in ceremony of the NDP. It says: "From the balconies of the giant auditorium, NDP partisans cheered their favourite ministers as they stepped up to take the oath—Sudbury's Shelly Martel, Welland's Peter Kormos, Rae himself. There was no presentiment then that, within three years, Martel would be politically disgraced, Kormos fired from cabinet, and Rae disowned by most of the labour movement."

*Interjections.*

**Mr Maves:** I'm just reading from a book. I like these people across the aisle; I get along very well with them. I'm quoting from a book. They're trying to talk about the moral high ground, that they've never known anybody they hired. This group across the aisle engaged, between 1990 and 1995, in the greatest patronage orgy and the greatest politicization of the bureaucracy in the history of Canadian politics.

*Interjection:* Tell me about it, Bart.

**Mr Maves:** Let me just tell you about some of it. I'm going to read from a book, because history has been written by other people. To start off with, Stephen Lewis—everyone knows the king and queen of the NDP, Stephen Lewis and his wife. His "sister, Janet Solberg, was tasked with finding suitable New Democrats to act as political aides to the ministers." They couldn't even hire their own staff, those ministers. They had to get political patronage to do that. To continue:

"Rae was determined to rely on trusted colleagues for his office. David Agnew would continue as his principal secretary, the top aide. Former MPP David Reville would babysit the caucus and carry out special projects for the

Premier." I want you to remember those names, David Agnew and David Reville.

It goes on to say that other people "were imported. Carol Phillips, the assistant to Canadian Auto Workers head Bob White and wife of former NDP federal secretary Gerry Caplan, would handle patronage"—hired for that purpose, and what wonderful credentials to do so.

It says about Ross McClellan, a well-known NDP activist, "In his view, the central institutions of the government—the Premier's office and cabinet office—should be responsible for driving policies developed by cabinet; the job of the line ministries would be to put these policies into place." Interesting: Their cabinet ministers, many of whom are here tonight, had no say, apparently.

I want to continue with the patronage. "Canadian Auto Workers chief Bob White"—actually had the good sense—"turned down a job offer from the Rae government. This one was to coordinate industrial strategy and would carry the rank of deputy minister." I can't believe he had the good sense to turn that down, but can you believe that the head of the Canadian Auto Workers was offered a job as a deputy minister? Shocking, absolutely shocking.

The record speaks for itself. Let me go on: "Marc Eliesen, the Deputy Minister of Energy" was the "former research director for the federal NDP"—the greatest politicization of the bureaucracy in the history of Canadian politics. It's written in this book, and it was undertaken by this government.

*Interjection:* That was then; this is now.

**Mr Maves:** From the book, part of their words when they went out there after three years, when they had their entire party and all the labour movement revolting on them, were, "That was then; this is now."

We go on: Michael Mendelson became "one of the most powerful functionaries in the Rae government; he and [Ross] McClellan had become the gatekeepers, the ones whose approval had to be gained before any proposal could even be discussed at the cabinet table"—again, a well-known Manitoba NDPer.

It goes on. I wish it would end, but it goes on. It says, "Later Rae hired his old university chum Jeff Rose, a former president of the Canadian Union of Public Employees, as Deputy Minister of Intergovernmental Affairs."

I think I'm slowly building a case, but I think most members, even the Liberal members, are now nodding their heads that this was the greatest politicization of the bureaucracy ever in the history of politics.

I can continue. Howard Hampton, who was the Attorney General, was actually quite surprised that he was given the job, because he wasn't, in his words, "a left-wing" Toronto lawyer like Clay Ruby or some other ones. "Hampton was suspicious, therefore, when Rae appointed Mary Hogan, a Provincial Court judge popular among Toronto NDP lawyers, as his deputy minister. 'The feeling was,' said one government figure close to the decision, 'that "we'll put Hampton in there as the figurehead, and Mary will be the real minister.'"



"Soon, there was almost open warfare between Hampton and his deputy. The flash point was Hogan's decision to appoint Michael Code, an associate of Clay Ruby, to be assistant deputy minister in charge of criminal law"—yet two more blatantly political appointments and a politicization of the bureaucracy. I'm only measuring them by Bob Rae's standards.

**Mr Gerretsen:** On a point of order, Speaker: I agree totally with this member, but what we're hiring here is not a civil servant but an independent officer of this Legislature.

**The Acting Speaker:** That is not a point of order.

**Mr Maves:** As if it wasn't enough—everyone on this side by now has already noticed the case and, as I said, members opposite are kind of hiding their heads, members of the NDP, and the Liberals are agreeing: "Wow. We didn't know it was that bad." But you know what? The book goes on to say: "Rank-and-file members were miffed at Rae. In an effort to be non-partisan, he wasn't appointing enough New Democrats to patronage posts to suit his party."

What did all this lead to? "Michael Decter, who until he resigned in 1993 had been one of Rae's most trusted and influential bureaucrats" said because of all of this and because of some of the folks in the party and at the cabinet table, there was a large vacuum. "It's not clear who the buck stops with .... You can have a lot of people at the centre talking to themselves and that's not really like having control of the government."

"To Decter, this stemmed in part from Rae's own remote personal style. 'The Premier is not connected to it. He's the least connected. There just isn't someone home in the way you'd expect from a government'"—remember, the Premier's most trusted adviser.

"As well, said Decter, the cabinet suffered from its own inconsistency." That was some of these members across the way. "I've been at cabinet meetings succes-

sive days where you'd think they had collective amnesia. They agree to something one day, and the next day not only do they agree to something different but it's like they don't remember there was the discussion."

So now when they stand up and try to occupy some kind of moral high ground, it's no wonder that they've totally forgotten, conveniently, the orgy of patronage that these people conducted, that they themselves conducted several years ago.

It continues on. There are actually some cute things in here. One of them was about Mr Kormos, my friend from Niagara Centre, who was a short-lived minister under the government. "Things might have worked out between Rae and Kormos had they communicated more," the book says. "But they didn't. They were two existential loners in different planetary orbits. 'In the six months I was there, I never talked to Bob Rae once,' said Kormos."

It also refers to Mr Rae as a kind of hopped-up Woody Woodpecker, which I think is pretty interesting.

As I said at the beginning, I wanted to talk to you about David Agnew. What happens here? We move on to near the end of this chapter, where it says: "But the important element of Rae's reorganization was his decision to make Agnew cabinet secretary, the province's top civil servant. Bureaucrats worried that Agnew's appointment was the ultimate attempt to politicize the civil service."

It goes on: "Political aides soon noticed that the lines of power no longer went through the ministers to Agnew and the Premier's office and finally to Rae. Instead they went from the bureaucracy to the deputies such as Jay Kaufman and Michael Mendelson"—

**The Acting Speaker:** Thank you. It being 12 of the clock, this House stands adjourned until 1:30 tomorrow afternoon.

*The House adjourned at 2400.*

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Première session, 37<sup>e</sup> législature

**Official Report  
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(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 22 December 1999**

**Mercredi 22 décembre 1999**

Speaker  
Honourable Gary Carr

Président  
L'honorable Gary Carr

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 22 December 1999

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 22 décembre 1999

*The House met at 1330.  
Prayers.*

### MEMBERS' STATEMENTS

#### BURTCH CORRECTIONAL CENTRE

**Mr Dave Levac (Brant):** Speaker, a very Merry Christmas to you and your family, and to the members of the House and to the citizens of Brant.

I rise today to inform the House of my deep concerns about the plans and actions this government is taking with regard to Burtch Correctional Centre just outside of Brantford.

This facility at one time was a centrepiece for true correction and rehabilitation of inmates. The programs were highly successful, innovative and modelled by many other facilities, especially the First Nations program there in Burtch—that is, until Mike Harris needed to change things to set the stage for privatization.

You know the scam by now: underfund, cut, overwork the employees, tell the world it's broken, create a crisis and then save the day. It's happening again. This time they cancelled a very successful, money-making farm program within Burtch, a highly successful canning operation, recycling program, soap-making program, and reduced the education program. What was the effect? A higher per diem and no rehabilitation. Create the crisis, then save the day.

Now, how are they going to save the day? They're going to bring in an American-style warehousing of inmates.

Here's the rub: The MPP for Haldimand-Norfolk-Brant, in which Burtch is located, thinks this is great. He thinks moving the inmates to Penetanguishene is the right thing to do. He thinks taking \$20 million out of the local economy is good. He thinks transferring the job site instead of closing the site is cute. Why? Because guards then lose their jobs, with no successor rights, and the private prison gets to hire less expensive, poorly trained rookie guards. The government gets to bust another union.

Shame on the government.

#### EDUCATION FUNDING

**Mr Doug Galt (Northumberland):** I bring to your attention a report to parents released by a public school in

my riding. The report states that "school priorities in spending" have been placed on "providing many new textbooks, instructional materials" and resources for our students to use.

I'm left wondering why the local school board and the opposition continually claim the sky is falling when it comes to classroom materials and new textbooks.

There are 284 students in this school, from junior kindergarten through to grade 6. They have 10 classroom teachers, a librarian, special education resource teachers, a core French teacher, a full- and part-time secretary, three educational assistants and two custodians. In addition, the report lists many other supports for special-needs students.

The chair of the Kawartha Pine Ridge board in a November media release said the government is "asking us to cut the heart and soul out of our children." This comment was absolutely inappropriate and very disturbing for its imagery of violence against children.

Our government is indeed fulfilling its promises on education. We promised to enhance classroom funding, to eliminate waste and duplication and we promised to provide the learning materials students need. We have done all of these things.

With that in mind, why is there such a disconnect between the board's claim and the school's report? Politics? You bet.

#### UNIVERSITY AND COLLEGE FUNDING

**Mrs Marie Bountrogianni (Hamilton Mountain):** My statement is for the Premier and for the Minister of Training, Colleges and Universities.

There are significant challenges facing all universities. Our obligation, according to the president of McMaster University, is not just to enrol every qualified student; we must provide them with a quality education. I agree wholeheartedly with Dr George and with all those who are concerned with post-secondary education.

In recent years, McMaster's ability has been challenged by an aging physical plant and by the call to their professors by other, better-funded jurisdictions. Their best and brightest young professors are leaving Ontario at a time when we need them the most.

This minister on numerous occasions throughout this session has promised a space in our colleges and universities for every qualified student.

McMaster University in Hamilton has shared this commitment over the years, in spite of Harris's \$400-mil-

lion cut to post-secondary education. McMaster has not talked about accessibility; it has acted. McMaster has provided access to almost 9% more students than required through the enrolment corridor numbers negotiated with the Ontario government. Few universities in this province have demonstrated this kind of commitment to accessibility. Yet when this government made funds available in 1998 for equity adjustment, McMaster received nothing. Now McMaster has the equivalent of at least 1,200 unfunded students enrolled at a cost of over \$5 million a year.

Why is Harris punishing an institution committed to the accessibility principle this government is continually talking about? When will Harris accept the reality of the funding crisis facing our colleges and universities?

### THREE CENTURY CLUB

**Mr John O'Toole (Durham):** It's my pleasure to rise today in the House to congratulate four unique individuals who live in my riding of Durham.

In just a few short days they will have achieved a very special distinction by having lived in three centuries. They will join the ranks of about 1,000 Ontarians now being recognized through the Ministry of Citizenship, Culture and Recreation's Three Century Club.

It is difficult to imagine that when Fred West and Danny McCuaig of Bowmanville and Maude Waite and Beatrice Loates of Port Perry were born, the Wright brothers had yet to fly the first plane, women did not yet have the right to vote, the British Empire encompassed almost one quarter of the earth and Prime Minister Wilfrid Laurier had yet to claim the 20th century for Canada.

The Three Century Club is part of the ministry's Ontario 2000 initiative and was designed to honour those seniors who were born in the 19th century and join with us as we embark on the 21st century.

As the MPP for the riding of Durham, it is my pleasure to congratulate Fred, Danny, Maude and Beatrice on reaching this important milestone.

One of my predecessors, Mr Josiah Johnston Preston, Durham East MPP in 1899, would have sent their parents birth congratulations, as I would for their grandchildren today.

I think the Three Century Club is a fitting tribute to those who have helped to make Canada one of the best places in the world to live, to work and to raise a family.

On behalf of them and my constituents, I send a very merry Christmas and happy new year to all.

### POLICE HELICOPTER PROGRAM

**Mr Dominic Agostino (Hamilton East):** I rise today to ask the Premier and the Solicitor General for support for the Hamilton police helicopter program. This was a 20-week pilot project that flew for 216 hours. During this time period, they responded to 152 calls for service, were first on the scene 45% of the time. Average response time

was two and a half minutes. It gave direct support for 35 apprehensions, 45 traffic stops and work on special details on 99 occasions, and was also responsible for a marijuana seizure of over \$2 million.

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This program, which was a cost-sharing program with the province, Peel, Halton and Hamilton-Wentworth, provided great success for the police force, particularly when it came to high-speed chases. In every single case, of the chases involved, there was no damage, there were no injuries, there were apprehensions and the vehicle was recovered. It is a 100% track record and success record. We need the program to continue and it ended as of last Thursday.

Chief Robertson and the rest of the force are fully behind this program and it has proved itself. I know the province believes in this program. I know the province has a special interest in policing. You have a responsibility to become involved and to help regional forces.

I today ask the Premier and the Solicitor General to continue their support for this program. It is now out of commission. It cannot start up again until you come through with the money. It would be a great gift for the people of Hamilton, for the police of Hamilton, for the people of Ontario, if this government today announced ongoing funding to continue the helicopter program in Hamilton-Wentworth.

### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Mr Rosario Marchese (Trinity-Spadina):** I haven't had an opportunity yet to comment on the Gord Miller affair and since I only have two minutes, or at least a minute and a half, I wanted to be able to put that on the record today. I tell you I am opposed to this proposed appointment because I think it's wrong.

When I was a member of the government agencies committee, they used to be the bloodhounds on that committee, like German shepherds, sniffing out New Democratic Party appointments, and they were always calling the media and saying: "Come, we got a surprise for you. We got a New Democrat, a new catch-of-the-day." Those were the good old days of the Tories, and they said when they got into government: "We won't be the same. No siree, we won't make any appointments that will be partisan." Unlike New Democrats, they were going to be different.

Now, of course, they're in power and 99% of all the appointments are Tory, but because that is the case nobody fights it because it's common. That's what they do. They expect it and nobody, not the media, not anyone, seems to care any longer about the fact that these appointments are Tories.

Unlike the Ombudsman, which had a three-party agreement, this appointment for the Environmental Commissioner does not have a three-party agreement. That's why it's profoundly wrong. That person should be inde-



pendent, above-board and above partisanship and that is why we're going to oppose that appointment.

### JIM MCCALLUM

**Mr R. Gary Stewart (Peterborough):** The residents of my riding of Peterborough have once again made an impression on the international stage. I'm very proud today to recognize Jim McCallum, a semi-retired dentist from my riding.

Mr McCallum is the president of the Peterborough Friends of Honduran Children, a group that has recruited local companies to help improve the quality of life in Honduras, the poorest country in Latin America.

In recognition of his efforts, Mr McCallum was recently awarded the YMCA Peace Medal for his realization of the YMCA statement on peace. It states: "Peace has many dimensions. The responsibility for peace begins with each person, and extends to community life and national activities."

The government is committed to encouraging volunteerism in this province. The efforts of these unsung heroes are truly the ones that make this province a better place to live. I am pleased to see volunteerism included in the new curriculum so that our young Ontarians can learn how to give a bit of themselves in order to help others in need.

On the eve of the new millennium, I would encourage all Ontarians to reflect on the way they can make the world a better place in which to live. I'd like to thank Jim McCallum for his spirit and for his giving nature, but most of all the people of Honduras want to thank you for giving them a reason to look forward to this new millennium.

### UNITED WAY OF GREATER TORONTO

**Mr George Smitherman (Toronto Centre-Rosedale):** As 1999 comes to a close, I wish to pay tribute to the United Way of Greater Toronto. This year, the United Way will meet their goal of almost \$63 million.

It's fitting that at this time of the year, when the differences between those who have so much and those who have so little are so stark, we should thank president Anne Golden, her staff and especially the countless volunteers who have helped to meet this ambitious goal.

My riding is home to the United Way offices, but more importantly, it is home to a vast cast of United Way-funded agencies. These are the front-line agencies expected to pick up the pieces when the government exists stage right. Agencies like the 519 Church Street Community Centre, Dixon Hall and East End Literacy remain steadfast in their support of real people.

In the next few days, the United Way member agencies will play silent Santa to tens of thousands of children in our city, children who make up an ever-present underclass. I cannot imagine the feeling that comes from being unable to provide for your children. Thankfully for many, the United Way prevents that indignity.

Early in the new year I'll be launching a major fund-raising effort for the United Way. For three months I'll be boxing with Florida Jack and eating properly, with serious weight loss in mind. Sponsors are encouraged on a per-pound basis. I'll benefit from better health and the less advantaged in my community will benefit through the United Way, as always.

### SEASON'S GREETINGS

**Mr Wayne Wettlaufer (Kitchener Centre):** Mr Speaker, I would like to wish you and every member here the tidings of the season, a happy Hanukkah, a merry Christmas and a happy new year.

We end this year with Canada again being recognized by the United Nations for having attained the highest quality of life for its citizens of any country on earth.

On the international scene, Canada is respected as a peacekeeper whose troops are deployed throughout the world in an effort to stop bloodshed and to try to bring a better quality of life to the citizens of many countries which are not as blessed as ours. On the national level, Canada is both peaceful and economically prosperous. Our philosophy is based on the principles of democracy, ethics, honesty and hard work.

Canada's economic prosperity is setting new records. This season's Christmas retail sales are expected to hit a record \$45 billion. This past weekend alone, Canadian retailers enjoyed their strongest shopping weekend in history, with over \$3 billion in sales.

It is only through a strong, stimulated economy that tens of thousands of new jobs are being created monthly, which is the only direct manner in which problems such as child poverty can be attacked. As a result of this government's "right on target" economic policies, we end this year with Ontario again being the engine of the Canadian economy.

Today we should count our blessings. We are truly blessed to live in such a wonderful part of the world.

### STATUS OF BILL 46

**The Speaker (Hon Gary Carr):** Yesterday the member for Scarborough-Agincourt introduced a bill entitled the fairness for taxpayers bill, the more days in the House for the Premier and fewer cheap photo ops act.

Aside from various other difficulties, I had found that the bill introduced was in unilingual format, which is contrary to subsection 3(2) of the French Language Services Act. I must therefore advise the House that this bill contravenes standing order 33(d) and will be removed from the Orders and Notices paper.

**Mr Gerry Phillips (Scarborough-Agincourt):** On a point of order, Mr Speaker: I appreciate your ruling and accept it. I just wanted to assure the supporters on all sides of the House and in all three caucuses that I will be reintroducing the bill and looking forward to your continued support when it is reintroduced.

**The Speaker:** I thank the member.

## REPORTS BY COMMITTEES

STANDING COMMITTEE  
ON REGULATIONS AND PRIVATE BILLS

**Mrs Claudette Boyer (Ottawa-Vanier):** I beg leave to present a report from the standing committee on regulations and private bills and move its adoption.

**Clerk at the Table (Ms Lisa Freedman):** The standing committee on regulations and private bills presents the committee's report and moves its adoption as follows:

Your committee begs to report the following bill without amendment:

Bill Pr15, An Act to change the name of The Corporation of the Township of Kincardine-Bruce-Tiverton to The Corporation of the Municipality of Kincardine.

**The Speaker (Hon Gary Carr):** Shall the report be received and adopted? Agreed? Agreed.

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## INTRODUCTION OF BILLS

## TARTAN ACT, 1999

## LOI DE 1999 SUR LE TARTAN

Mr Murdoch moved first reading of the following bill:

Bill 49, An Act to adopt an official tartan for Ontario /  
Projet de loi 49, Loi visant à adopter un tartan officiel pour l'Ontario.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Bill Murdoch (Bruce-Grey):** This bill was around in the last session, introduced by Lillian Ross, and never came to fruition, so hopefully in this session it will. I think Ontario needs a tartan, as it will fit in very nicely with Tartan Day on April 6, which this House also approved. Maybe some of the new members won't know that, but April 6 is Tartan Day, and after this bill is approved we'll have our own tartan in Ontario.

**The Speaker:** I can tell the member we all look forward to seeing him in his kilt on that day.

## ROSS MEMORIAL HOSPITAL ACT, 1999

Mr Stewart moved first reading of the following bill:

Bill Pr5, An Act respecting The Ross Memorial Hospital.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

Pursuant to standing order 86(a), this bill stands refers to the Commissioners of Estate Bills.

MUNICIPAL AMENDMENT ACT  
(SIMCOE DAY), 1999LOI DE 1999 MODIFIANT  
LA LOI SUR LES MUNICIPALITÉS  
(FÊTE DE SIMCOE)

Mr Hastings moved first reading of the following bill:

Bill 50, An Act to amend the Municipal Act to name Civic Holiday as Simcoe Day / Projet de loi 50, Loi modifiant la Loi sur les municipalités en vue de désigner le Congé civique sous le nom de fête de Simcoe.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Mr John Hastings (Etobicoke North):** The intent of this bill is to really honour Mr Simcoe, who was the founder of this great province.

## MOTIONS

## HOUSE SITTINGS

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I move that, pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Wednesday, December 22, 1999, for the purpose of considering government business.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry? Carried.

**Ms Marilyn Churley (Broadview-Greenwood):** On a point of order, Mr Speaker: I'm asking for unanimous consent. I rise on a very important issue, that being the transportation of plutonium waste along Ontario highways. I ask for unanimous consent to do second and third readings of my Bill 34, An Act to amend the Dangerous Goods Transportation Act to prohibit the transportation of Nuclear Material.

**The Speaker:** Is there unanimous consent? I heard some noes.

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: Once again I seek unanimous consent of the government—

**Interjections:** No.

**Mr Bradley:** You have to hear it first—for second and third reading for my gas price bill, Bill 16.

**The Speaker:** Is there unanimous consent? I heard some noes.

## ORAL QUESTIONS

APPOINTMENT OF ENVIRONMENTAL  
COMMISSIONER

**Mr Dalton McGuinty (Leader of the Opposition):** My question is for the Deputy Premier. This year we sat



seven days in the spring, 33 in the fall. You have limited debate on nearly one half of the government bills that were introduced. We in the opposition were lucky if we got eight hours of debate on any particular bill. No travelling committees have done any work this fall. You have provided yourself with new dictatorial powers in one of your bills. You have revived the power to bully counties into restructuring. This afternoon you will undoubtedly be proceeding with ramming through the appointment of Mike Harris's friend as our new Environmental Commissioner. In summary, your government has relentlessly attacked the democratic underpinnings of this Legislature.

My question for you is, what have you got against the democratic process, which to this point in time has served so well in ensuring that we had strong laws and a strong Ontario?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** I would like to remind the leader of the official opposition that during the last Parliament this government sat 12% more sessional days than the NDP government and 45% more than the Liberal government, of which you were a member. Is that what he means by sitting less and less—45% more than the government of which you were proud to be a member? Why didn't you resign from that government if you thought they sat so little?

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. Minister of Education, come to order. Member for Windsor West, come to order, please.

**Mr McGuinty:** The Environmental Commissioner is a non-partisan officer of this Legislature and should be seen as such. That individual is to answer to all of us, not just to the government members or to the Premier. You know that only Conservative MPPs favour the appointment of this individual as the Ontario's new Environmental Commissioner.

What I'm really worried about is the precedent that this is setting for our province. If Mike Harris is able to impose the appointment of his friend and political ally for such an important non-partisan position, what is next? Are other very important and supposedly non-partisan jobs up for grabs for friends of the Premier? Can we expect that you're going to ram through the appointment of Tom Long as Ontario's new Chief Election Officer? When are you going to appoint Conrad Black as the Provincial Auditor, or Brian Mulroney as the new Integrity Commissioner?

**Hon Mr Eves:** Since the government has been in power, we have had 3,603 reappointments. Some 2,277 of those were reappointments of people who were appointed either by Bob Rae's government or by David Peterson's government. That's 63% of all the appointments or reappointments made. That doesn't sound to me like a very partisan appointments procedure.

Mr Miller is a very qualified individual to be Environmental Commissioner. Are you suggesting that despite the fact that he's a qualified individual, the fact that he

has some correlation to the Progressive Conservative Party of Ontario should disqualify him from becoming the Environmental Commissioner? Is that what you're suggesting?

**Mr McGuinty:** This is not some kind of a distant relationship with the Conservative Party of Ontario. This is a man who has sought political office under the stripe of the Progressive Conservative Party of Ontario. This is a man who did the same thing for the federal Progressive Conservative Party. This is a man who holds the position of the federal riding president of the Progressive Conservative Party. This is not what you call a distant passing relationship. In addition to all of that, this man is a personal friend of the Premier.

1400

This appointment is a very important appointment. It is one that must be seen as non-partisan and at arm's length from the government. It is one that should be approved by all three political parties. Deputy Premier, how can you possibly justify the appointment of this man in the vein of a non-partisan appointment by this Legislature?

**Hon Mr Eves:** I note that when the leader of the official opposition is talking about partisan political appointments and people who have run for different political parties, he neglects to name off some names like Marion Boyd, Dave Cooke, Floyd Laughren, Gilles Morin, Bernard Grandmaître and Frank Miclash. How come you didn't rhyme those off when you were talking about people who have run for different political parties?

## HOMELESSNESS

**Mr Dalton McGuinty (Leader of the Opposition):** A question for the Deputy Premier: Before the Christmas break in 1992, your boss, Mike Harris, had the following to say in this Legislature. "I suggest to the members of the government, when they go home over this Christmas holiday, that they reflect on the most vulnerable in our society and the back of the hand that they have received from this government in 1992."

We are now nearing the one-year anniversary of Anne Golden's report on homelessness. Her report detailed in dramatic fashion how your government's policies caused an increase in homelessness, particularly for our children and our young people.

Anne Golden found that since 1992, hostel use by youth is up by 80% and use by families has risen by 123%. She found that there are 40,000 children in Toronto alone living in families that are vulnerable to becoming homeless.

Minister, when you go back to your riding, will you be reflecting on the most vulnerable in our society and the back of the hand that they have received from your government?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** Nobody, I believe, in the province is happy when people are homeless and people live in some degree of poverty or another, and find themselves there

through no fault of their own, quite frankly. The government is doing what it can to try to provide opportunities for those people either to educate themselves or to improve upon their job skills to bring them into the workforce, if and where possible. However, that's not always possible, and our obligation as a government and as a society is to take care of the people who can't take care of themselves, that having been said.

**Mr McGuinty:** It might be worth our while to take a look at the record of this government when it comes to helping out the homeless and the hungry. This is what you have done: You have ended rent controls, you have cancelled 17,000 new affordable housing units, you have cut welfare to our poorest and our neediest, and you have closed psychiatric hospitals. The result was predictable. It was the following: Rents have increased dramatically, more people and families are being evicted in Ontario than ever before, families are now being told that the waiting list for affordable housing is 12 years long, hostel use by families and youth has doubled, and there are more poor people living in Ontario today than at any other time in our history.

In 1992, Mike Harris also had the following to say, "Let me hope that we can do better for you"—the hungry—"in 1993, and for the homeless." My question for you: What is your hope for those who are hungry and those who are homeless in the year 2000, and when are you going to start to help instead of hindering?

**Hon Mr Eves:** First of all, over 400,000 Ontarians are no longer on welfare who were on welfare when our government was first elected. When this government came into office in 1995 there were 1.3 million people on welfare, the highest per capita rate in the entire country of Canada. That is the legacy that the Peterson and Rae governments left the people of Ontario. I am now proud to say that 400,000 of those people are no longer on the welfare rolls, and our goal is to make sure that as many as possible are removed from the welfare rolls.

**Mr McGuinty:** The fact of the matter is that there are more children growing up hungry in Ontario today than ever before. There are more families growing up in poverty today than ever before in the history of our province.

*Interjections.*

**The Speaker (Hon Gary Carr):** Order.

**Mr McGuinty:** When it comes to your lack of activity—

*Interjection.*

**The Speaker:** Order. This is the last warning for the Minister of Education. If she does it again, I will name her—the last warning.

**Mr McGuinty:** When it comes to your commitment to fight homelessness, you have spent less than one quarter of what you promised to spend. You promised to spend \$100 million. Half of that came from the federal government and you spent less than one quarter. You haven't announced any details on how or when this is going to help house our poor. In the area of supportive housing, all that you've done is send out press releases.

There is not a single new unit that has been built. When it comes to your PST rebate for new affordable housing, which you have said so much about, that's not going to cost you a penny because there is no new affordable housing being built today in Ontario.

Minister, when are you going to turn your empty promises on homelessness and poverty into real action to help people who are in real and pressing need?

**Hon Mr Eves:** We have doubled the community start-up grant for homeless families. We have introduced an Ontario child care supplement for working families. This is going to help some 350,000 children in Ontario. The program has grown to a \$200-million program. We have invested \$45 million more in the Trillium drug program to ensure that 140,000 working poor receive assistance. We have added over 500 drugs to the Ontario drug benefit program. Some 650,000 low-income earners who previously paid income tax now pay no personal income tax whatsoever as a result of some of the measures we have taken. Those are just a few of the measures we have taken.

With respect to housing, you might want to get Jean Chrétien's phone number and ask him why the federal government has totally abandoned housing for anybody in the entire country.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Deputy Premier. I want to ask the Deputy Premier to give some direction to other members of the government. It must be clear to you now that the person you want to appoint to become the Environmental Commissioner of Ontario doesn't have and can't have any public credibility. Environmentalists across the province are united in one voice in saying very clearly that to appoint a political backroom operator of the Conservative Party into this important job discredits the job. Gord Perks of the Environmental Alliance and Paul Muldoon from the Canadian Institute for Environmental Law and Policy have said this would be just a very bad appointment.

Deputy Premier, it's not too late. Would you direct the committee to reconsider, to find a candidate who would enjoy the confidence of everyone here who especially would have the confidence of the public out there? Would you do that?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** The committee has recommended a candidate through the same process that your government used when you were in government with respect to an Environmental Commissioner in 1994.

**The Speaker (Hon Gary Carr):** Supplementary.

**Ms Marilyn Churley (Broadview-Greenwood):** Minister, in 1994—and you would know this; you were here—the process worked. We advertised in the press, we had over 200 applications and, most important, we found a candidate all three parties, including the Mike Harris Tories, could support. It was unanimous.



1410

Minister, listen carefully, please. For this position to work, the public must have the confidence that if the Environmental Commissioner tells them things are fine, they are indeed. You and I both know that when Gord Miller says things are fine, nobody outside of the party is going to believe him. I ask you again, will you support the motion to send this committee back for reconsideration?

**Hon Mr Eves:** The honourable member is saying that she doesn't like the decision a committee of the Legislature made, therefore she wants to revisit the decision. We're using exactly the same procedure that your government used in 1994. Mr Miller is a more than qualified candidate to be the Environmental Commissioner.

**Ms Churley:** The government minister is still not listening to a very grave problem here. Have you heard what the environmentalists across the province are saying? Some of the multi-stakeholder task forces that were brought together from all sectors are very concerned about what you're doing here. Let me quote from one of them: "The commissioner position will be transformed from a watchdog into a lapdog. There is a critical need for an independent review of the government's environmental performance to track the impact of the many cuts they have made to environmental programs, staff and budget."

I say to the minister, the process in this committee was not conducted properly. There was not given an opportunity, until I pushed it, to ask Mr Miller about his political connections, which was a legitimate thing to do in this case.

Minister, this is a very important position for all Ontarians and to every member in this House, not just your government. I ask you again, will you reconsider?

**Hon Mr Eves:** Mr Miller's qualifications speak for themselves. He worked in the Ministry of the Environment for some 14 years. He's headed up environmental groups and conservation groups concerned with water quality and supply in Lake Nipissing and Trout Lake, among other things. He has a record that's very creditable. Obviously the human resources department assisting the Legislative Assembly committee felt the same or he wouldn't even have been interviewed for the job. The committee has chosen him as the successful candidate. We are following exactly the same procedure that was good enough for you and your government in 1994.

#### INVESTIGATION OF FORMER MINISTER

**Mr Howard Hampton (Kenora-Rainy River):** A further question for the Deputy Premier: For the past two and a half months the Ontario Provincial Police have been investigating the activities of your former Minister of Municipal Affairs and Housing. Today we understand the OPP put out a press release which says no evidence of criminal wrongdoing. But you and I both know that there are other details that may not be criminal that are

certainly of interest to the conduct of your government. We know that the former minister was alleged to have been channelling access through his personal lawyer, who is also the lawyer for many of his companies. We know that his personal lawyer has gotten a very lucrative contract with your Ontario Realty Corp, the realty corporation itself being the subject of allegations of wrongdoing and corruption and the subject of a number of lawsuits.

The Premier said he would make all of the details public. Will you do that today, Deputy Premier?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** The government has no details other than the same press release that the leader of the third party has. The OPP have stated in their press release that they have completed their investigation, that they found no evidence whatsoever for laying of any criminal charges. That's as much as he knows, that's as much as we know.

Are you suggesting, I say to the leader of the third party, that we now have access to OPP investigations of any individual in our society? They've obviously issued a press release. If there's a report to be made public, the OPP will make the report public.

**Mr Hampton:** I'm simply taking the Premier up on what he said two months ago. Two months ago he said—and he said it again yesterday—that he would make the details of what has been learned public.

Let me get across exactly what I think the public needs to see. One of the things that emerged during the investigation, the discussion about Mr Gilchrist, is that Mr Gilchrist was found guilty of tax evasion. I think the public deserves to know those details. If your government put Mr Gilchrist in the cabinet, if you're considering putting Mr Gilchrist back in the cabinet, I think those are details that ought to be open to the public. What exactly did happen to the criminal charges of tax evasion? There was a finding of guilt and I understand that was upheld on appeal. Those are the details that I think the public needs to know. If your government is going to appoint cabinet ministers, those are the details that I think you should make public. Are you going to make the full report public?

**Hon Mr Eves:** First of all, there is no report I know of that has been prepared on this case. The OPP have issued a press release today. You know as much about it as we know about it. The press release speaks for itself.

The Premier held a press conference at 12:45 today. He indicated that he met with Mr Gilchrist for the very first time, discussed with him certain actions and comments that he is alleged to have made during the course of the investigation, told them that they were inappropriate and has chosen not to put him back in cabinet at this point in time.

#### EYE CARE SERVICES

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Health. You'll recall that there is an eye-care crisis in the Niagara region, and

thousands of people will be forced to travel to Hamilton to receive their eye care as a result of your action.

Dr Jeffrey Sher, who is the chief of the department of eye medicine and surgery at Hamilton Health Sciences Corp, says that your solution is bogus. He says the following: "Please be advised that the provision of all ophthalmology services in the Hamilton area is currently under significant stress due to manpower shortages. Access to ophthalmology services in Hamilton is already significantly restricted. Waiting lists for consultations and surgery are exceedingly long.

"The seven non-surgical ophthalmologists in Hamilton are unavailable for urgent or emergency care. Five out of seven are between ages 62 to 70 and have retired from surgical practice. Their clinical availability is part-time to various degrees. These individuals are likely to further reduce their practices over the next number of years. We are sitting on a human-resource time bomb in this specialty."

Will you now admit that your solution of forcing people from the Niagara region to go to Hamilton for eye care services is not a suitable solution?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member knows, the government has worked very hard to encourage more specialists to practise in Ontario, particularly in the underserved areas. In fact, the number of specialists has actually increased by 238 since 1997.

When we come to the issue of the specialists retention initiative, each year it is determined by the Ontario Medical Association and the ministry which physicians will be exempt from the impact of the threshold. When physicians want to appeal decisions that have been made, they certainly have the opportunity to do so.

**Mr Bradley:** I'll quote further from the letter, which really demonstrates for the people of the Niagara region and Hamilton how inadequate your response is. They say: "We suggest that you re-evaluate how these ratios are being used in light of current realities. We can assure you that Hamilton ophthalmologists cannot handle the primary and secondary eye care needs of the entire central-west region. We are barely coping with our own needs. We wish to advise you in advance that urgent and emergency eye care problems for the Niagara region cannot be dealt with by referral to Hamilton. We have little capacity to accept these cases. We consider the ophthalmologists in the Niagara region responsible for these patients. We urge you to resolve this issue as soon as possible."

In the short and medium term, will you now lift the cap on ophthalmologists in the Niagara region until such time as we have a sufficient number of ophthalmologists to serve the people in the Niagara region and not force them to head down the Queen Elizabeth Highway to Hamilton?

**Hon Mrs Witmer:** As the member knows, it is the physician services committee that makes the determination, and I would recommend that certainly this situation would be reviewed.

There are others within the province who have applied for exemption, and I would strongly recommend that this be communicated to the ministry and that the situation be reviewed in light of the additional information. I think everyone wants to ensure that the appropriate number of specialists are available to meet the needs of people in your community and throughout the entire province.

1420

#### DOCTOR SHORTAGE

**Mr Marcel Beaubien (Lambton-Kent-Middlesex):** My question is for the Minister of Health and Long-Term Care. In the past number of years I've queried you on the underserved areas in Ontario and the shortage of family physicians in Lambton-Kent-Middlesex.

*Interjections.*

**Mr Beaubien:** If you'd give me a couple of minutes and listen, this is a serious matter in my riding. I'm sure for the member for Chatham-Kent-Essex it's probably the same thing.

On December 9 I received another letter from the town of Parkhill questioning the shortage of family physicians. Today the report from Dr McKendry has been released. Apparently it's a fact-finding report. I haven't had a chance to see it. Minister, could you please tell the Legislature and my constituents what steps you plan to take with regard to the recommendations made by Dr McKendry?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** I'm very pleased to respond to the member that indeed Dr McKendry has publicly shared his fact-finding report with us at the Ministry of Health. It's now available to the public. I'm also very pleased to respond that Dr McKendry has indicated that the initiatives the government has undertaken thus far show that we are on the right track to improve access to family physicians and specialists. As a result of his report, I'm very pleased to indicate today that we are going to be expanding some of our initiatives, particularly in the field of foreign-trained doctors. I'm very pleased to be able to say today that we are going to expand the capacity by 50% for foreign-trained doctors. They'll be able to access the international medical graduate program. That will commence in July 2000. Also, for students who have gone to the United States, we are going to be funding additional post-graduate training in Ontario. We will be funding up to 15 training positions in order to attract those individuals back to Ontario.

**Mr Beaubien:** I'm sure my constituents in Lambton-Kent-Middlesex will be very pleased to hear this information that you passed on to the House today. You've also taken the wind out of my sails with regard to my supplementary question, because you've already answered it. I guess I could ask, when do you plan on initiating these particular processes that you've just talked about?

**Hon Mrs Witmer:** The initiatives I've talked about, such as the expansion of opportunities for foreign-trained



doctors by 50%, the 15 additional training physicians for those who have done their training in the US to return to this province—those are all going to be targeted at bringing people back into underserved areas, specialties that are underserved. We're also going to have an expansion of the re-entry training/return-of-service program. We'll be expanding that from 25 to 40 positions. We'll be doubling the number of community development officers. We're expanding the northern training program.

The other piece of good news for the member and 58 other communities in our province today is that we are making an additional \$60 million available to those hospitals in the province that have less than 35,000 visits to their emergency rooms. This will allow them to keep those emergency rooms open 24 hours a day. I'm pleased that St Catharines is included on the list.

**The Speaker (Hon Gary Carr):** New question.

**Mr John Gerretsen (Kingston and the Islands):** I would like to return to exactly the same issue of doctor shortages. If there's one thing that the minister has acknowledged today, it is that it is not just a distribution problem, which is what you have been saying for the last six months here; there's actually a shortage.

Let me ask you this: We are still short, according to your own records, some 422 doctors. The 50 positions that you talked about is a step in the right direction.

I'd like to talk to you about the case of Dr Rawani. He's one of the very many foreign-trained doctors in this country. Let me just tell you what he has done. He came here with his family two years ago, after having spent seven years at one of the centres of excellence in a hospital in Pakistan. He passed a Canadian medical council evaluating exam, giving him the equivalency of Canadian medical graduate, yet since that time he has run into nothing but roadblocks in order to get approved as a physician in this province. What are you doing, Minister, to fast-track those qualified foreign physicians to make sure that the people of Ontario who lack medical services can get those services as soon as possible?

**Hon Mrs Witmer:** What we're doing, as I've indicated today, is immediately responding to Dr McKendry's report today. These are the short-term initiatives that we're able to put in place. It amounts to a total of an additional \$11 million to make sure that underserved areas of the province that need family physicians and parts of the province that need specialties that are lacking are going to have them. When we take a look at the fact that we're going to be increasing the capacity for foreign-trained doctors by 50%, that is certainly very significant movement.

If we need to take a look at further dialogue with the colleges, because it is the colleges, of course, that do the licensing of the doctors, we need to communicate. But what we are also doing today is that we have designated Dr Peter George, who heads up McMaster University, to head up our expert panel to develop the long-term strategies that we need to ensure we have the appropriate

number of health human professionals to meet the needs of our population today and in the future.

**Mr Gerretsen:** Just so I am clear and the people of Ontario are clear, when you're talking about increasing the foreign-trained doctor capacity by 50%, you're only talking about 12 positions, because currently only up to 24 medical graduate positions are available under the international medical graduate program. I was wrong when I assumed there were 50; it's 50% of 24, which is only 12 additional positions.

Let me just quote to you what Dr Rawani has said: "At no time am I suggesting that the medical doctors from 'approved' medical schools overseas should set up a medical practice without first proving the necessary skills and expertise. However, after passing the evaluating exam there should be no discrimination. I have learnt that at every step of pursuing my field I will have to encounter different standards and feel that my rights are being jeopardized."

Minister, you're in charge of the health of the people of Ontario. What are you doing to ensure that the College of Physicians and Surgeons, the OMA and your own ministry work together to do away with the discriminatory tactics that Dr Rawani and many other—

**The Speaker:** Order; the member's time is up.

**Hon Mrs Witmer:** There has been considerable dialogue, and I do believe the dialogue will continue. First of all, we need to continue to recognize that it is the Royal College of Physicians and Surgeons of Canada and the College of Family Physicians of Canada and the College of Physicians and Surgeons of Ontario who determine the standards required to receive a licence to practise medicine in Ontario. These policies exist to ensure that all physicians meet the standards and qualifications to be certified to practise in Ontario. What we are doing is that we have immediately ensured that the capacity is increased by 50%. However, the panel being set up will continue to further look at how we can ensure that we have the appropriate number of family physicians and specialists in the province.

## COLLECTION AGENCIES

**Mr Bart Maves (Niagara Falls):** My question is for the Minister of Consumer and Commercial Relations. The Collection Agencies Act, as it now reads, restricts non-resident ownership of collection agencies that operate in Ontario. In the Niagara region there is an Ontario-based company that has indicated it would be willing to expand its 100-person workforce by up to another 250 employees by spring if this restriction is lifted. Ontario is the only province in Canada with this kind of restrictive provision on collection agencies. This provision is a barrier to investment in our community and unnecessary red tape. What action are you taking to ensure job creation and economic growth in my region?

**Hon Robert W. Runciman (Minister of Consumer and Commercial Relations):** I thank the member from Niagara Falls for the question. Last week I introduced

amendments to the Collection Agencies Act to remove the restriction on foreign ownership of collection agencies in Ontario. I'd like to assure the House that the proposed amendments do not change the existing requirement that collection agencies operating in Ontario be physically located in the province. Those provisions are still in place.

1430

By passing this legislation, Ontario would be in step with all other provincial and territorial governments in Canada. Harmonizing our laws with other jurisdictions would improve interprovincial co-operation and enforcement of standards in the collection agency sector.

Our government has made job creation a top priority. We've created more than 500,000 jobs since being elected, and through this legislation we will level the playing field for Ontarians to compete for more jobs in the collection agency industry.

**Mr Maves:** Thank you very much, Minister, for recognizing how important 250 jobs like this are to the Niagara region, although some members of the House apparently aren't that concerned. I won't mention names; I won't do that today.

Minister, what can we do to ensure that these amendments in this package are passed as quickly as possible so that my constituents can benefit immediately from this legislation?

**Hon Mr Runciman:** We are working with the opposition to try to secure their support for swift passage of this legislation, and I urge them to make job creation for Niagara a priority. Let's put partisanship aside and get this job done.

#### NURSE PRACTITIONERS

**Mr Howard Hampton (Kenora-Rainy River):** My question is for the Minister of Health. My question comes from the Mary Bergund Community Health Centre, which operates in an underserved area and badly needs a nurse practitioner.

On October 13 of this year the Ministry of Health put out a request for proposals for nurse practitioners, but under your new rules, to submit an application you have to go through a private sector company called MERX. On three occasions in October and November the community health centre tried to get an application document through MERX, and MERX said, "Sorry, we can't send it because of some differences in software." They asked MERX to send them an application by courier. MERX said they would not use Purolator as a courier despite the fact that Purolator is the only courier that operates into the town of Ignace.

The community tried five different ways to get an application and MERX couldn't provide them with one. The result, after a two-month tie-up with bureaucracy, is that they can't take part in the nurse practitioner process. Is this the new scheme of things in the Ministry of Health: privatize things and make it difficult for underserved areas to even get a nurse practitioner?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member certainly knows, it was our government that actually for the first time in the history of this province did recognize that nurse practitioners—we've actually moved forward to hire and will be hiring 80 nurse practitioners. As you know, there is an RFP process that is used to ensure that the nurse practitioners are located in the areas where they are most needed. We continue to refine that process, but I can tell you that the nurse practitioners are certainly increasing the access. Along with the measures that I have announced today for additional physician resources and the measures we've incorporated in the past, there is considerably improved access for people in the north and isolated areas when it comes to physicians and nurse practitioners.

**Mr Hampton:** Minister, this is a community that badly needs a nurse practitioner. This is a community that has essentially one full-time physician and one locum physician and then tries to get nurse practitioners to provide health care for a population in the catchment area of over 2,000 people. They tried on four separate occasions, through this private sector process that you set up, to get the application form and MERX wouldn't send them the application form. The result is that they can't even apply for a nurse practitioner. They've now gone to get a law firm to sue MERX and your ministry to try to become part of the application process.

Minister, you can launch press release after press release, but the fact of the matter is that hard-pressed communities out there that actually need a nurse practitioner, that are trying in good faith to apply for a nurse practitioner, can't get through the private bureaucracy you've set up.

What are you going to do for a community like Ignace? Will you reopen the process so they can at least participate and file an application for that nurse practitioner they need so badly?

**Hon Mrs Witmer:** We are continuing to issue RFPs for nurse practitioners. We certainly have received very positive feedback from the community as to the work they are able to do to improve access to primary care. Certainly the concerns you've raised today are ones that need to be seriously considered. I very much appreciate that, and they certainly will be taken into consideration by the Ministry of Health officials in order to ensure that all communities have opportunities.

#### MUNICIPAL TAXATION

**Mr Richard Patten (Ottawa Centre):** My question is to the Minister of Municipal Affairs. You will know that two evenings ago, Bill 25, the restructuring and amalgamation of municipalities bill, went through and imposed an unwanted, unexpected tax increase on the people in the city of Ottawa.

You will recall a letter that was sent to you by the mayor of Ottawa. Part of it says: "It is a direct attack upon the taxpayers of Ottawa. I am writing to condemn



these mean-spirited provisions which will accomplish nothing but penalize our taxpayers. The formula as it now appears is cherry-picking of assets and of liabilities." This letter was sent to you by the mayor. He asked for a meeting. You wouldn't meet with him, of course, because you wanted to help out your friend the minister from Nepean. No amendments in the bill, but in the bill it did have the opportunity for the cabinet to amend the legislation. So I want to ask you, will you use those provisions to amend the bill to provide fiscal justice to the taxpayers of Ottawa?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** I thank the honourable member for the question and I can confirm to him that I have actually had discussions with the mayor of Ottawa on this very point. I understand, as you do, that there has been correspondence on this issue as well. We had a very fruitful discussion.

There has been no determination of some of the fine-tuning issues to which the member refers, but I can tell you what the intention of this government is, which is to protect taxpayers every step of the way to the best extent possible. That is what animates us; that is what drives us to commit to being part of this government and to deliver good government.

We are looking for an opportunity to be fair and equitable and reasonable to the taxpayers of Ottawa, but also to the taxpayers of Nepean and the taxpayers of Kanata and the taxpayers of Cumberland. This is all part of our job as being part of this government in Ontario. If the honourable member has any suggestions as to how best to do that, we would welcome them at any turn of events.

**Mr Patten:** Minister, I would like to hear you say that you will take action. The legislation in fact creates an imbalance. It means that the taxpayers of Ottawa, who didn't expect it—in fact one of the objectives was lower taxes. This will increase property taxes for taxpayers.

The mayor has two suggestions as to how to deal with this. Either of those suggestions would work. I would ask if you would confirm that you will direct the transition team to examine that and make sure there are no tax increases for the property taxpayers of Ottawa.

**Hon Mr Clement:** I can confirm to the honourable member and to this House that those two options that the mayor of Ottawa has determined are acceptable to him and to his council have been conveyed to me and we are apprised of that information. Let me say this, though. We also have a commitment to the taxpayers of Nepean. We also have a commitment to the taxpayers of Kanata. We did not think it was fair—which is why we went for area rating—to share with the taxpayers in Nepean or Kanata or outside of Ottawa the debts that have been accumulated by council decisions in Ottawa, nor did we feel it was fair to strip out reserves from those communities for the new city of Ottawa.

Having said that, we are looking for a fair, equitable and reasonable way of dealing with this, and I can

certainly keep the honourable member apprised of our progress.

#### TOY DELIVERY

**Mr John O'Toole (Durham):** My question is to the Minister of Transportation. Many of my constituents in Durham, and indeed across Ontario, are aware of a massive shipment that will be travelling throughout Ontario the night of December 24. Thanks to the tax cuts, millions of pounds of toys are being transferred in a single vehicle that will perhaps exceed Ontario's vehicle weight restriction limits.

Minister, stand in your place in this Legislature and tell the children and people of Ontario that you will transport these toys on time and in a safe manner.

1440

**Hon David Turnbull (Minister of Transportation):** What an excellent question. Play safety is of paramount importance to this ministry. The ministry is aware of the shipment in question, and I can assure the House that the owner has an excellent safety record and has taken every precaution in the past. After careful inspection, the carrier has been granted an "overweight" permit and he will have easy access to all Ontario communities. I'm confident that the toys will arrive on time and in a safe and efficient manner.

**Mr O'Toole:** Minister, it's clear from that response that you will not awake on Christmas morning with a piece of coal in your Christmas stocking.

In all seriousness, though, this issue of road safety is critical. Minister, stand in your place and come clean on behalf of the children of Ontario. Assure them that Mr Claus and the Christmas toy convoy will meet our load restrictions and that the vehicle will operate in a safe manner.

**Hon Mr Turnbull:** Of course, it would befit—  
*Interjections.*

**Hon Mr Turnbull:** Please, this is a very serious matter. People all over the province want to know the answer to this.

It would be premature for me to speculate on the number of hours that Mr Claus would be working, but I'm pleased to report that the driver has a perfect safety record and that his vehicle is always well lit and well maintained. I'm confident in the ability of Mr Claus to deliver the cargo safely and on time.

I would just like to take this opportunity to wish everybody in this Legislature a happy Christmas, a wonderful holiday and, please, safe driving.

#### INFRASTRUCTURE PROGRAM FINANCING

**Mr Gerry Phillips (Scarborough-Agincourt):** I might just comment that I'm glad Santa has a sled, because many of the roads aren't plowed.

But my question is to the Minister of Finance, and it has to do with the SuperBuild Growth Fund.

I think all of us agree that over the next five years we have to invest about \$20 billion in the infrastructure of Ontario. The government has told us that half of that, \$10 billion, will come from the private sector. You know we've had some reservations about your ability to do that, based on the 407 experience, where the private sector has been given the right by you to double the tolls. Anybody who doesn't pay the toll doesn't get their licence renewed. The Harris government took about a \$1.6-billion slush fund.

My question is this: We now are almost through the first year of this \$10-billion private sector funding, so we expect that we've probably got somewhere around \$2 billion of private sector funding for infrastructure. Can you indicate to the House where the \$2 billion of private sector funding is coming from and what the major projects are that will represent that \$2 billion?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance):** No, I cannot. The member is trying to leave the impression that this will be equally divided year by year, month by month, day by day, hour by hour, I suppose. When we make a commitment on this side of the House, we keep it. I can remember the same honourable member standing up and pooh-poohing how anybody could ever dream of creating 725,000 jobs—"That will never happen." Of course we're up to 615,000, and I don't hear that question any more.

*Interjections.*

**Hon Mr Eves:** Excuse me. There's still a year to go to meet the commitment. It was a five-year commitment.

You people on the other side of the House must really look forward to Christmas Day. What do you do, tack up a little picture of Scrooge over your mantle on Christmas Day?

**Mr Phillips:** There is no need to be so bitter. You won the election; you've got to get over it. You're going to have to put that behind you. You're just a sore winner.

I don't mean to disturb you. I know it's Christmas, but maybe you can just give us a hint. We are now almost through the first year. You've said \$10 billion in total. I don't mean to upset you at all, but can you perhaps give Ontario some indication of the major projects that the private sector is going to fund? From where I sit, they want to make a profit. When you sell them a toll road or get them to build a toll road, that incremental infrastructure is a new tax on people. They build a school and you lease it, that's the same way of raising funds.

I want to know where you're going to find the incremental \$10 billion for infrastructure. I don't mean to upset you; I'll just ask it quietly and maybe you can give us a hint of where that will come from.

**Hon Mr Eves:** I'm glad to see the member for Scarborough-Agincourt is in such good humour today.

We will be releasing project by project as the Super-Build operation gets up and running. As he knows, we now have an executive director who is going to run the SuperBuild fund.

**Interjection:** Who is it?

**Hon Mr Eves:** You know very well who it is.

We will be doing this project by project. We're looking at many projects, four of which we talked about in last May's budget, as a matter of fact, in the post-secondary education sector. And there will be many more projects forthcoming. Trust me, at the end of five years, there will be at least that amount of money raised through the private sector and it will improve the infrastructure in the province of Ontario.

Merry Christmas to the honourable member for Scarborough-Agincourt.

## CANADA SUMMER GAMES

**Mr Frank Mazzilli (London-Fanshawe):** My question is to the Minister of Citizenship, Culture and Recreation. Our government is committed to young athletes. As you know, in 2001 the Canada Summer Games are coming to our area of southwestern Ontario. That site has been selected for many reasons, and one reason is the London Health Sciences Centre, which is a world-renowned health care facility. It's no thanks to the federal Liberals who have cut health care funding. The province of Ontario and our government had to create the economy in order to fund health care properly. If the members across the House want to lobby the federal Liberals for some further health care funding, we would certainly appreciate it in southwestern Ontario.

Minister, could you tell us some details of the 2001 Canada Summer Games?

**Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women):** I'd like to thank the member for London-Fanshawe for the question. It gives me great pleasure to talk in the House about the games that are happening in London in August 2001. The 2001 games are being worked on by a large number of volunteers across the southwestern Ontario district. As people will know, the games will be held in London, Woodstock, Grand Bend and St Thomas. So there are a number of representatives in this House who will be involved in those, I'm sure. Of course, the University of Western Ontario will also be involved in these games.

I think the important thing to remember about the games is that our youth from the ages of 13 to 19 will be involved in these games. These games are held every two years. I know that the athletes are preparing now for the games and many will then move on to the Olympics and other games as a result. It's a good opportunity for these athletes and I know they're training hard to be ready.

**Mr Mazzilli:** This is something that we can truly celebrate in southwestern Ontario, the Canada Summer Games coming there. We've created over 600,000 new jobs in the province of Ontario to date and we will continue to create more jobs.

Minister, can you tell us what financial impact these Canada Summer Games will have to our region?

**Hon Mrs Johns:** As the members from southwestern Ontario will know, it's very important to create economic activity in this area. It is estimated that the economic



benefits of these games will be very substantial to southwestern Ontario. Some \$42 million is the economic impact that is estimated for London alone. They have also estimated that there will be 571 full-time jobs to London and the surrounding region, and across the province 737 jobs. So it's quite a legacy that these games will be leaving.

There will be \$2 million for sport complexes that will be raised by partners and people involved in the games and the province, so it's quite a complex that's going on and it's going to bring a great deal of economic activity to southwestern Ontario.

1450

### OMERS PENSION BOARD

**Mr David Christopherson (Hamilton West):** My question is to the Chair of Management Board. Minister, you had to be embarrassed into putting some limits on the exotic junkets and high living of the Liquor Control Board of Ontario. I want to ask you about some of the other neat little travel opportunities that are available to members of the OMERS pension board.

I have a list here of the possible conferences sent to OMERS board members on November 2. Some of them are pretty cool: "Dialogue Along the Danube" in Budapest and Vienna; another conference at the Pointe Hilton in Tapatio Cliffs, Phoenix, Arizona; others in Palm Beach, Paris, Madrid, San Francisco. In many cases there are little stars instead of dollar signs, indicating that the sponsors will gladly pick up the cost.

My question to you is this: Are any of these junkets being paid for by the hard-earned wages of municipal workers, firefighters and police officers, or are they being paid as freebies by the corporate sponsors who want to influence the board members and their decision-making?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** It's a good question. We have tried to root out a lot of the waste and abuse that was left in the system from the NDP government days, so I'll take this under consideration. I will check it out and see if it even falls within our jurisdiction or who is responsible, or if what you are saying is even true. Thank you for the question.

**The Speaker (Hon Gary Carr):** Supplementary.

**Mr Christopherson:** Well, Mr Speaker, I'm surprised you are going to let it stand in terms of him asking whether or not that's true.

However, Minister, I am disappointed that you take this so lightly. You take everything lightly around here until it's brought to you here or put on the front page of the newspaper; then you react. I suspect this is another one of those cases.

Let me say to you that one of the things these members should be hearing as they are travelling around the globe is that more and more pension boards are recognizing the right of workers to have at least a 50% say in how their board pensions are being invested. We of

course have done that with the OPSEU pension trust fund, and it's working very well. We think you ought to be doing the same thing with the OMERS board. Will you tell us whether or not you are prepared to make that commitment today?

**Hon Mr Hodgson:** The answer to the last question is no, but to the first part, we do take those things very seriously and I appreciate your bringing it to our attention. I'm not sure which part of "yes" you're not comfortable with.

These are accusations that you are making that appear on the surface to be frivolous—we'll investigate that—and a waste of money for the people who have contributed to the plan, and of course we take that very seriously.

### LONG-TERM CARE

**Mr Mario Sergio (York West):** My question is for the Minister of Health. Calls are coming in fast and furious with respect to long-term care and patients who need home care, including disabled patients. Will you introduce legislation which will guarantee those patients—handicapped, disabled, people who need home care services—the services provided within the health care system in Ontario?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member knows, we have 43 community care access centres in the province. Those community care access centres are run by a local board of directors, and within each one of those communities decisions are made regarding case management of patients. As you know, we have made available \$551 million which is being used and will be used in the future to fund home care and community services.

### VISITOR

**Ms Marilyn Churley (Broadview-Greenwood):** On a point of order, Mr Speaker: I want to take this opportunity to introduce to the House Ryan Cookson, who was a former page in this House from Broadview-Greenwood last year. Welcome, Ryan.

**The Speaker (Hon Gary Carr):** On a point of privilege, the member for Windsor-St Clair.

**Mr Dwight Duncan (Windsor-St Clair):** Mr Speaker, it has come to my attention that earlier today—we've had discussions about the McKendry report, which is three months overdue. My understanding is it has been given to all the government members but it's not available at this moment to opposition members or to the gallery. That's a very important infringement and we'd like to have copies of that report.

**The Speaker:** I'm not aware of the reports that they give out. I'm sure if there are reports available, the appropriate people would make them available to all members.

## PETITIONS

## MEDICAL LABORATORIES

**Mr Monte Kwinter (York Centre):** I have a petition to the Parliament of Ontario:

"Whereas the Ontario government has recently imposed a retroactive cap on revenue earned by medical laboratories for services provided under the health insurance plan; and

"Whereas the Ontario government has also required these businesses to refund revenue for services rendered in previous years where the amount of that revenue exceeds the retroactively imposed cap for those years; and

"Whereas this legislation amounts to expropriation of economic rights without adequate compensation or due process of law; and

"Whereas the greatest incentive to the provision of efficient and quality services and products by the private sector is competition and the ability to make a profit; and

"Whereas the removal of these incentives by government negatively affects all of society and particularly patients in need; and

"Whereas this type of legislation also unfairly discriminates against one sector of the society;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That adequate protection of property rights is needed to ensure that government cannot erode the property rights of certain sectors of society without fair compensation and due process of law."

I've affixed my signature.

## LOCAL SUPPLIERS

**Mr Tony Martin (Sault Ste Marie):** "Whereas consumer and business operator free choice may be limited where franchise agreements are in place; and

"Whereas Lock City Dairies is a Sault Ste Marie-based business contributing to the economy and well-being of the city and area, and is not able to have its products appropriately displayed and available to the public because of such agreements; and

"Whereas we, the undersigned, wish to be able to have the choice of Lock City Dairies products and the benefits of more jobs it would bring to our economy;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To pass Tony Martin's Bill 35 or amend the government's Bill 33 to include provisions to make it possible for local operators of grocery store chain outlets, and other outlets such as convenience stores, to have the freedom to choose to support local suppliers and to provide them with shelf and display space proportionate to consumer demand."

I have signed my signature to this petition.

## KARLA HOMOLKA

**Mr John Hastings (Etobicoke North):** I have a petition to the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm pleased to affix my signature to this petition.

## GASOLINE PRICES

**Mr Steve Peters (Elgin-Middlesex-London):** This is a petition to stop the soaring price of gasoline arising from the gas price gouging of major oil companies.

"To the Legislature of Ontario:

"Whereas the price of gasoline has soared over 30% in price in the last six months; and

"Whereas the Mike Harris government has done nothing to protect consumers and is afraid to take on the big oil companies; and

"Whereas the wholesale market for gasoline is controlled by an oil oligopoly which controls 85% of the wholesale market; and

"Whereas the big oil companies have used predatory pricing to eliminate small competitors; and

"Whereas, in 1975, former Ontario Premier Bill Davis froze the price of gasoline for 135 days and called an inquiry into the pricing practices of oil companies;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the province of Ontario call for a 90-day freeze on the price of gasoline while an inquiry is held into the pricing practices of large oil companies and that the province pass into law the Gas Price Watchdog Act which would protect consumers and independent oil companies from price gouging and predatory pricing."



This is signed by a number of constituents in the riding of Elgin-Middlesex-London and I proudly affix my signature to the same.

1500

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Ms Marilyn Churley (Broadview-Greenwood):** To the Legislative Assembly of Ontario:

"Whereas the first Environmental Commissioner appointed under the NDP's Environmental Bill of Rights, Eva Ligeti, courageously documented the Harris government's attack on environmental protection in Ontario; and

"Whereas the Harris government refused to reappoint Ms Ligeti, instead choosing a close political ally of the Premier to fill the position; and

"Whereas Ontario needs the Environmental Commissioner to serve as a tenacious watchdog on the government; and

"Whereas the former Conservative riding association president in the Premier's riding accepted thousands of dollars in political donations when he ran for the Mike Harris Tories from Falconbridge Ltd, Mallette Lumber, Timmins Forest Products, Abitibi-Price, Millson Forestry Service, Columbia Forest Products, Grant Lumber, Erocon Waste Management, Timmins Logging, Westland Logging and Gaetan Levesque Logging; and

"Whereas, given the candidate's strong personal ties to the Premier of Ontario, the candidate cannot be trusted to protect Ontario's environment;

"We, the undersigned, call on the Legislative Assembly of Ontario to reject the nomination of Gord Miller as Environmental Commissioner, and to choose instead a highly qualified candidate with no political ties to the current government."

I agree with this petition and proudly affix my name to it.

#### KARLA HOMOLKA

**Mr Dan Newman (Scarborough Southwest):** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to pass to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I have affixed my name to this very worthwhile petition.

#### HIGHWAY SAFETY

**Mr Pat Hoy (Chatham-Kent Essex):** To the Legislative Assembly of Ontario:

"Whereas 13 people died during the first seven months of 1999 on Highway 401 between London and Windsor; and

"Whereas traffic levels on all sections of Highway 401 continue to increase; and

"Whereas Canada's number one trade and travel route was designed in the 1950s for fewer vehicles and lighter trucks; and

"Whereas road funding is almost completely paid through vehicle permit and driver licensing fees; and

"Whereas Ontario road users pay 28 cents per litre of tax on gasoline, adding up to \$2.7 billion in provincial gas taxes and over \$2.3 billion in federal gas taxes;

"We, the undersigned members of the Canadian Automobile Association and other residents of Ontario, respectfully request the Legislative Assembly of Ontario to immediately upgrade Highway 401 to at least a six-lane highway with full paved shoulders and rumble strips; and

"We respectfully request that the Legislative Assembly of Ontario place firm pressure on the federal government to invest its gasoline tax revenue in road safety improvements in Ontario."

This is signed by a number of residents from Blenheim, Chatham and Merlin and I affix my signature to it.

#### DENTAL CARE

**Ms Frances Lankin (Beaches-East York):** "To the Legislative Assembly of Ontario:

"Whereas a growing number of Ontario working families are not receiving any dental benefits through their place of employment;

"Whereas it has been recognized that good dental health is important to the overall health of the body;

"Whereas other countries that pay less per person in health care have universal dental coverage;

"We, the undersigned, petition the Legislative Assembly of Ontario to ensure that every Ontario citizen has fully funded access to at least one dental checkup and cleaning a year."

This is signed by approximately 600 citizens of Ontario, primarily residents of the Niagara Peninsula.

#### KARLA HOMOLKA

**Mr John O'Toole (Durham):** It's a privilege to rise in the House today and represent the people of Durham. I also want to put on the record that yesterday I spoke on a petition on the 407 routing—

**The Deputy Speaker (Mr Bert Johnson):** If you want to read this petition, I'd like to hear it; if not, I will go on.

**Mr O'Toole:** I will get to that. On the attempt to silence the voice of Durham—out of respect for the Chair, I will read:

"To the Legislative Assembly of Ontario:

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm pleased to submit this on behalf of—

**The Deputy Speaker:** Thank you. Further petitions.

#### TENANT PROTECTION

**Mr Mario Sergio (York West):** I have a petition addressed to the Legislative Assembly of Ontario, with a total of 214 signatures.

"Whereas the current rental housing legislation in Ontario, the Tenant Protection Act, is unfair and does not serve the interests of tenants;

"Whereas tenants are being victimized by landlords who are securing excessive rent increases and not providing adequate services;

"Whereas the Ontario Rental Housing Tribunal unfairly favours the interests of landlords;

"We, the residents of 2405 Finch Avenue West (Lori Gardens Tenants Association) petition the Legislative Assembly of Ontario as follows:

"We urge the Ontario government to replace the Tenant Protection Act with legislation that protects the rights of tenants and ensures a fair balance between them and their landlords."

I concur with the petition and I will affix my signature to it.

#### EDUCATION FUNDING

**Mr Tony Martin (Sault Ste Marie):** "To the Legislative Assembly of Ontario:

"Whereas the current education funding formula stipulates that should the student population of a given district divided by the district's area equal less than 1.0, the district is to be funded as a low-density area; and

"Whereas Algoma District School Board has approximately 15,000 students and covers an area of 70,534 square kilometres and as such has a quotient of 0.21;

"We, the undersigned taxpayers"—I have about three pages of signatures here—"supporters and district school council members of the Algoma District School Board petition the Legislative Assembly of Ontario to instruct the Minister of Education to review the current education funding formula as it applies to the Algoma District School Board of northern Ontario and rightfully designate it as a low-density board."

I sign my own signature to this petition.

1510

#### KARLA HOMOLKA

**Ms Marilyn Mushinski (Scarborough Centre):** This is a continuation of concerned petitioners regarding Karla Homolka.

"Whereas Karla Homolka and Paul Bernardo were responsible for terrorizing entire communities in southern Ontario; and

"Whereas the Ontario government of the day made a deal with the devil with Karla Homolka resulting in a sentence that does not truly make her pay for her crimes; and

"Whereas our communities have not yet fully recovered from the trauma and sadness caused by Karla Homolka; and

"Whereas Karla Homolka believes that she should be entitled to passes to leave prison with an escort; and

"Whereas the people of Ontario believe that criminals should be forced to serve sentences that reflect the seriousness of their crimes;



"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario will:

"Do everything within its power to ensure that Karla Homolka serves her full sentence;

"Continue to reform parole and make it more difficult for serious offenders to return to our streets;

"Fight the federal government's plan to release up to 1,600 more convicted criminals on to Ontario streets; and

"Ensure that the Ontario government's sex offender registry is functioning as quickly as possible."

I'm pleased to affix my signature to this petition.

### MATERS MORTGAGES

**Mr James J. Bradley (St Catharines):** My petition reads as follows:

"Whereas *Maters Mortgages* investors have battled for a decade to receive compensation for their losses, which were incurred as a result of overzealous action on the part of an official in the Ministry of Financial Institutions, as was proven recently in a parallel criminal case;

"Whereas *Maters Mortgages* investors believe that their civil action against the government of Ontario has been unduly and unnecessarily delayed in the courts by legal representatives acting for the government of Ontario;

"Whereas the new investors' committee of *Maters Mortgages* has requested that legal representatives of the government of Ontario meet with legal representatives of *Maters Mortgages* investors to discuss the possibility of reaching an out-of-court settlement of the investors' civil case against the Ontario government;

"Whereas many *Maters Mortgages* investors are senior citizens who placed their life savings in these investments and have suffered from extreme stress and financial hardship and continue to do so;

"We, the undersigned, petition the Legislative Assembly to encourage the government of Ontario to take immediate action to appoint a case manager to expedite the case involving the class civil action of the representatives of *Maters Mortgages* investors against the government of Ontario.

"Further, we petition the Legislative Assembly to urge the government of Ontario to engage immediately in serious discussions with legal representatives of *Maters Mortgages* investors with a view to reaching a fair out-of-court settlement with the investors and urge the government to instruct its legal representatives to cease any and all legal action designed to prolong the duration of the case."

I affix my signature to this petition.

**The Deputy Speaker (Mr Bert Johnson):** The time for petitions has ended. I want to just say that it's the duty of the Chair, the presiding officer, to interpret the rules of the House, the rules you have made, so that it isn't within the purview of any presiding officer to take the voice away from any representative as long as they are within the rules. If you don't stay within the rules, then please look at me, because I'll make sure you are. I

would like to just leave that with you for the rest of the afternoon and evening.

Orders of the day.

**Hon Frank Klees (Minister without Portfolio):** Speaker, government order 3.

### ORDERS OF THE DAY

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

Resuming the debate adjourned on December 21, 1999, that an humble address be presented to the Lieutenant Governor in Council as follows:

To the Lieutenant Governor in Council:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Gord Miller as the Environmental Commissioner for the province of Ontario as provided in section 49 of the Environmental Bill of Rights Act, to hold office under the terms and conditions of the said act, and that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

**The Deputy Speaker (Mr Bert Johnson):** Further debate?

**Mr Dwight Duncan (Windsor-St Clair):** Mr Speaker, on a point of order: Perhaps the Speaker could enlighten me. Yesterday this order was government order 30, and I believe I heard the chief government whip say government order 3.

**The Deputy Speaker:** I usually don't explain things, but today, if you check on page 8, this order is listed as number 3. I don't have yesterday's to see what number it is, but I'll take your word for it that it was 30.

**Mr Duncan:** So it did change.

**The Deputy Speaker:** Just to explain, as far as I know, they could change any day as the number—

*Interjections.*

**The Deputy Speaker:** Order. I also notice that the date on the calendar in front of me changes each day. So I think that's quite normal.

**Mr Bart Maves (Niagara Falls):** It's a pleasure to rise and wrap up my comments that I started last night, mostly about bringing back some history about some of the sanctimonious attitudes that come from across the way from the other party, particularly the New Democratic Party.

I had started out by quoting from a book by an NDP-supportive author, Tom Walkom. He wrote a book called *Rae Days* about their time in office. What we talked about largely was how much politicization of the bureaucracy the NDP had done in their term in office and how much patronage they had engaged in. It was probably the greatest orgy of patronage we'd ever seen in the province of Ontario.

Certainly I think no one would dispute that it was a greater politicization of the bureaucracy, the civil service,

than ever before probably in the history of this country. That's quite shameful, actually, Minister, because as you know the parliamentary tradition is to have an independent civil service, and that was really breached in a quite pathetic way during their term in office.

I quoted mostly yesterday from chapter 4, which was entitled "Wackos from Outer Space." I went through yesterday and read example after example of friends of the NDP and NDP activists who got put into the bureaucracy as deputy ministers, as assistant deputy ministers, and it was just a shameful politicization of the civil service—and people who gave contributions to the party. I didn't even get into all of the agencies, boards, commissions, tribunals and authorities, many of which the NDP started and put a lot of their friends in those positions.

When we first started making expenditure reductions when we got in office, the hue and cry—most of the howls were from their friends. We are saying they had created too many agencies, boards and commissions. We had to get rid of a few of them, and when we did we got rid of a lot of their friends and their party faithful whom they'd given jobs to. That's why the hue and cry was as loud as it was.

I just want to finish off, because I only have a few seconds left. At the end of this chapter in this book, after this politicization occurred and after a few years of being in office, here's what Bob Rae himself had to say when people were raising their eyebrows so much at their government. I'm going to quote from the book: "We are not wackos from outer space," Rae insisted early in his term. Later, as his government's economic policy moved back and forth across the ideological map, he was moved to say: 'My brain has not been captured by alien forces.' Not everyone was convinced."

**Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington):** I'm very pleased to rise in the House today to speak to what I think is a very important topic, the appointment of the Environmental Commissioner of Ontario.

Of course, I'm new to the role, but I think it's important for the members of the House to understand that in my riding there are a number of issues of significance. Certainly two that come to my mind, and two that I heard about very regularly as I campaigned, as I crossed my riding to understand what was important to the people in Hastings-Frontenac-Lennox and Addington, two issues that came to me very regularly, related to environmental issues.

One issue is with regard to a proposed expansion of a landfill site. The landfill site is located in Richmond township and there is at the present time a proposal under way that would see that landfill expand in capacity by six times its present size every year for the next 25 years. So it is a proposal of some great significance for the people in that particular community.

1520

The people of the community have come to me out of concern and I certainly appreciate the concerns they've

brought to my attention. I would like to be able to say to the people of my riding that there will be opportunities for them to have their issues heard in an impartial forum and that decisions will certainly be made with their better interests at heart.

Another important environmental issue in my riding is a situation that has attracted much attention over the last decade. It's the Deloro mine site. The Deloro mine site is probably one of the worst environmental tragedies in North America. It's not my role, or the role of the government either, to lay blame. It certainly is our responsibility, though, to deal with the reality that there is much to be done there to clean it up and ensure the safety of the people of the community and the people who would live downstream from that contaminated site. It's another situation where I believe the people in my riding deserve to be confident that the people involved with reviewing the process that will be in place to address their serious concerns will give fair hearing and impartial consideration to the important issues that they will raise about this matter. Those are two reasons why I, as a representative of my community, am particularly interested in the role of the Environmental Commissioner of Ontario.

I have to say as well that I have personally benefited from the hours of debate that have taken place on this particular issue so far. I know that there have regularly been motions to stop debate, to close debate, to say, "We've heard enough," but as a member who is new to the House, I must say to the members of the government that I have benefited greatly from the opportunity of sitting here and hearing the perspectives of government members and members on this side of the House. So I would encourage members of the government to consider in the future, when we do discuss bills, that this is an opportunity for you, the government, to have us better understand what might be your position and perhaps to be open to points that are made on this side of the House.

That's really what democracy is all about: the hearing of both sides; not necessarily the digging in its heels but to be able to appreciate the valid perspectives that are raised in this Assembly, to be able to say that, perhaps in the better interest of the people of Ontario, we need to reconsider our position. So it has been with great interest that I have participated in the debate and am very happy to speak to the issue this afternoon as well.

I have had to do a lot of homework and I have reviewed a number of documents and I've had to become familiar with the distinction between a Legislative Assembly appointment and a government appointment. I have for many years been aware of what have been considered patronage appointments. They have been in every government, whether it's a Conservative government, a Liberal government or an NDP government. Liberals appoint Conservatives, Conservatives appoint Liberals and NDPers appoint members of other parties as well. Of course, it's to be expected that governments are going to appoint people known to be supporters of their party.



For boards and commissions and agencies of the government, while some people may not like the idea, it has been a long-standing practice and one that is largely accepted. I know that Hansard would bear me out if I were to say that members of this side of the House have said as much, that we understand the reality of patronage appointments, that they're quite appropriate for boards, agencies and commissions. But the Environmental Commissioner, as I understand it, as it has been explained to me and as I have researched it, is an appointment made by the Legislative Assembly. That means it's a position that this body recognizes and makes appointment to. I would suggest that it's probably a position that should have the blessing of all three parties that participate in the assembly.

I believe there are certain reasons why it is important that assembly positions are supported by all members of the Legislature. I would think that the government would only want to place someone in that role if that were the case. Surely, we must recognize that the role of Environmental Commissioner for Ontario is probably one of the most important roles in the province today. If there is anything that the people of Ontario are very concerned about and that has been reported regularly in the media is that the government needs to pay a good deal of attention and do a better job than they have. Even in the speech from the throne, the government indicated an intention to improve the record, its performance in the area of the environment. That being the case, I've got to think that the person that this assembly would place in the role that would monitor the government's performance and in this very important portfolio would have the confidence of the entire assembly.

I've got to think that the government would want to have someone in place so that when the Environmental Commissioner of Ontario makes a report to the assembly, the assembly is going to be confident and not suspect that the report is biased or less impartial or that perhaps the commissioner has been somewhat partisan in reviewing the various roles, the various activities of the various ministries that impact on the environment of Ontario. I would think that it would be of benefit to the government to be able to say, "We have this report from the Environmental Commissioner," and all parties of the House, having supported that commissioner, would say, "Yes, we accept that this would be a sound document and we have no reason to believe that it would be partial in its presentation."

As I've done a little bit of homework and tried to understand the role and the requirements of the role, I refer to a document that's reasonably recent, February 1999, where it is in my opinion very clearly indicated. I think it's important for me to read it into the record and for the people of the province of Ontario who might be tuning into the House today and wondering what is the Environmental Commissioner and what makes this role distinct. I think it's important that the importance of the role and why we are talking about it at the length we are are clearly stated.

"The task force envisioned that 'the Environmental Commissioner would have responsibility for oversight of this implementation and effectiveness of the Environmental Bill of Rights.'" I believe in Ontario we are most blessed to have an Environmental Bill of Rights. But it is only a blessing if it is adhered to, if it is in fact acted upon, if it is respected by the agencies that have the responsibility to guard our environment. "It would take a quantum leap of faith in government to assume that one government or a succession of governments could maintain willingly a high standard of compliance with such a piece of legislation." Accordingly, the ECO has been described by the media and some observers as an 'environmental watchdog.'

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"Public servants and members of the caucus have great incentives not to embarrass the government, while opposition members have great incentives to exaggerate problems and ignore well-managed programs and institutions. Such an environment is not conducive to developing sound performance information and, even if such information were deemed credible, reasoned use of that information in the public domain."

"The nature of the Environmental Commissioner of Ontario's legal obligation to report on ministry compliance with the Environmental Bill of Rights makes it likely that at least some ministry officials will find these reports disagreeable. In particular, the Environmental Commissioner's position is independent of the party in power, and its impartiality cannot be compromised by pressure from non-statutory considerations such as political pressures, potential reprisals or interference."

As I say, this is from a document entitled *Independence, Accountability and Transparency: The Role of the Environmental Commissioner of Ontario*, a background paper that was issued on February 15, 1999. I think it has presented very well why anyone appointed to the role of Environmental Commissioner should be, and should be seen to be, impartial.

In the House over the last couple of days there has been a lot of debate and discussion about the individual who has been proposed for the role. I want to clarify, and I think it's important for me to have the members of the government understand, because there have been statements made.

The member for Northumberland indicated last evening that members of the opposition were trying to discredit the government. The member from Peterborough indicated that this was a character assassination. I want to make very clear this afternoon that I'm not trying to discredit the government and I certainly am not trying to impugn the integrity of Mr Miller. I'm not questioning his credentials or his ability. But it is very clear—it's a matter of public record—that this man has in the past been very involved with the Progressive Conservative Party.

Last evening the member from Dufferin-Peel-Wellington-Grey made the presentation, "I guess if you're a card-carrying member of the Conservative Party, you should

expect to be discriminated against and you shouldn't be appointed to anything." That's not what I'm saying here today either. I think I've already made my thoughts clear on that. I think patronage appointments are a reality, they happen, but this is an appointment of the Legislative Assembly, and I think it's important that this is clear.

My comments today are not to an individual's ability but to the fact that, in a very public forum, Mr Miller has attached himself to the Conservative Party. While I don't believe that has any impact on his ability to function in the role as the Environmental Commissioner, in a very pragmatic sense, we all must understand that whatever an individual with his background might bring forward, because of his political ties, because he participated in an election campaign and advocated the present environmental policies of the government, I think it's fair to assume that there's going to be the assumption in the public forum by the people of Ontario that this commissioner would continue to hold as appropriate, as true, as the way the province should be directed in terms of environmental policy—that this commissioner would be very favourable to what the government would present.

That may or may not be true, but I can assure you it would be the perception. While you might argue that would be unfair, I can only argue back that that is the reality.

I say to the members of the government this afternoon, as we're considering this very important matter, that the people of Ontario, and certainly the people in Hastings-Frontenac-Lennox and Addington, deserve—I think the Environmental Commissioner is one of the most important roles in the province today. I believe that our very future as a province depends on the Environmental Commissioner doing his job and doing it well.

I know the government likes to measure the health of our society by the bottom line, by what the ledger says, by how much money we have in our pockets from a tax cut, but there are other gauges in society that measure health. I would say that the environment is probably one of the most important ones. Right now the barometer on our environment is falling, and it's falling fast. The government needs to pay some attention to our environment. We need to have someone in the role of commissioner who is not afraid to say to the government: "You're not doing a very good job here. We need to work harder."

I don't think the role is entirely to find fault or to criticize. It's important when people have roles such as this that they are able to provide guidance and direction. I believe this assembly should be able to wholeheartedly support the candidate who is presented for this role. It's very obvious, for reasons you may or may not agree with, that this is not the case with Mr Miller.

I would encourage the members of the government to reconsider, for the people of Ontario, for the good of this government, so that when a report is issued by the Environmental Commissioner of the province, it is not suspect, and the members of the entire Legislative

Assembly are able to say we appreciate this as an impartial perspective. You must understand, for the many reasons that have been talked about these last number of hours in debate, that this would not happen. I believe the people of Ontario deserve that. I believe the Environmental Commissioner deserves that. I really question the ability of someone to function at the very best of their ability in such an important role with this kind of cloud over their head.

It's my hope today that further debate will reveal to the government that it is probably a better idea—and I think my colleague from St Catharines yesterday made a very good point. Certainly we should not overlook the very fine abilities of Mr Miller. I'm sure it's possible for him to be appointed by the government to another role where his abilities would serve the people of Ontario well. But it's important for the government to recognize that at this time to appoint Mr Miller to such a significant post would not be in the better interests of this Legislative Assembly.

I would ask you to assist me, as a new member, to be able to say that I believe the process is working and that when we stand in the House and debate, you are able to see the other side and see why this is not a personal issue; it is one of perception and we want to be fair to all of the people involved.

I thank you very much for this opportunity to share my concerns around the appointment that's before us this afternoon.

**Mr Wayne Wettlaufer (Kitchener Centre):** This is obviously an issue that many of us have a great deal of concern about. I think we have to look at the entire process around which legislative appointments are made. I would like to draw a comparison to the Ombudsman who recently was appointed. I sat on the committee that made that appointment. I think we have to look at how the person is selected. As you're aware, a number of resumés are submitted after an advertisement goes into a national newspaper. The resumés are submitted to human resources. In the case of the Ombudsman, I believe we had 82 resumés, and in the case of the Environmental Commissioner—and I could stand to be corrected—I believe it was 71.

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What happens here is that the human resources people weigh, based on a series of categories, the individual they feel should be put at the top of the list. They report to the Legislature. They don't report to the government; human resources reports to the Legislature. They weigh and they put their choices, the top five, the top 10, the top 25, which then come to the committee.

**Mr Joseph Spina (Brampton Centre):** They grade the candidates.

**Mr Wettlaufer:** Yes, they grade the candidates, I say to my friend and colleague the member for Brampton Centre. When they come graded, they have already expressed their support for the candidates.

In the case of the Legislative Assembly committee, when we picked the Ombudsman, we advised them that



we wanted to see the other resumé as well. I'm not too sure what happened in the committee picking the Environmental Commissioner. However, I do know that Gordon Miller was in the top three of all the human resources gradings. He was in the top three.

I know that we unanimously selected the Ombudsman. That was fortuitous; it was good management, I guess. But you can't always have a unanimous selection. Whether it be an Environmental Commissioner or whether it be an Ombudsman or whatever, you can't always have a unanimous selection. The majority of a committee will rule.

In this case, yes, the majority was the government, and yes, those who were not government opposed the selection. That is the democratic process. That's how democracy works. Whether we like it or not, it is how it works. Nevertheless, whether he is picked by the majority of the committee, in this case all of the government members, he still must report to the Legislature. He is accountable to the Legislature.

His qualifications are impeccable. Nobody is arguing about his qualifications. I haven't heard any one of you say he's not qualified to do the job. What you have said is that because he's a PC, because he ran for the PCs both federally and provincially, because he's a friend of Mike Harris, because he is the president of his riding association, because he is all these things, he shouldn't get the appointment. That's what I've heard out of you. That's not appropriate.

**The Deputy Speaker:** I'd ask the member to address your comments to me, please.

**Mr Wettlaufer:** Certainly, Mr Speaker. I understand that and I accept that.

This is what I have heard from the members of the opposition. Mr Speaker, I know you will agree that that is not appropriate.

**Hon Chris Stockwell (Minister of Labour):** Throw him out.

**Mr Wettlaufer:** The minister wants me thrown out? OK. You want me to say something that will inflame the situation; then I'll get thrown out and I won't be here for the vote tonight. Tonight aren't we voting on something?

**Interjections:** Tomorrow.

**Mr Wettlaufer:** Tomorrow? OK. I'm sorry. Then I don't have to worry. I can inflame the situation all I want.

**Mr David Caplan (Don Valley East):** It might be next week.

**Mr Wettlaufer:** Next week? We'd have to get unanimous consent to come back next week. We may have trouble getting unanimous consent.

**Mr Caplan:** Agreed.

**Mr Wettlaufer:** No. I'm not going to move unanimous consent. I'll oppose it.

I think it's so very important to keep in mind that this debate shouldn't even be held here today. Here is a man whose reputation is without fault. Had the proper procedures been followed—confidentiality—we wouldn't be here debating this issue. But because one member of this

Legislature feels that the rules are made for everyone else and not her—

**Ms Marilyn Churley (Broadview-Greenwood):** Who are you talking about? Name names.

**Mr Caplan:** Who?

**Mr Wettlaufer:** She knows who it is. One member chose to release the particulars to the media. This has become a public issue, a matter that should have been a confidentiality issue. That is the way this is.

I have hired many people in my lifetime. I have had many resumé come to me. Every time an applicant submitted a resumé to me, I have advised them that it was in the strictest confidence. The candidates who submitted their resumé to this committee, through human resources, did so in the belief that their resumé would be submitted in the strictest confidence. Every single one of those individuals from around this province submitted their resumé in the belief that it would be in the strictest confidence. This member chose to interpret the rules as applying to everyone else but not to her.

This is shameful behaviour. It is behaviour that is not becoming a member of this Legislature. It is behaviour not becoming to anyone in a position of authority. I don't care whether it's a person who is an employer, I don't care whether it's a member who is a leader of a union, I don't care whether it's a person in this Legislature; we must always respect the rights of a candidate who is applying for any kind of job. When we say to them that their applications will be submitted in the strictest confidence then we, as the legislators of this province, who are supposedly some of the finest human beings in this province, the leaders of our province, have an obligation to ensure that our word is good. We cannot, we must not ever again open up into a public forum someone's application for a position when we tell them that it will be held in the strictest confidence. We must never do that. How can we as legislators go back on our word? I ask the member, how can you feel justified, because you think that you are above—

**Ms Churley:** Who are you talking to?

**Mr Wettlaufer:** Mr Speaker, how can that member think that because she is above this Legislature she can release the particulars to the media? The rules apply to all the members of this place. The rules apply to every member of the committees.

**Mr David Christopherson (Hamilton West):** On a point of order, Mr Speaker: During the course of your being in the chair over the last few weeks, you will know that some members of the government have taken exception to people not being referred to by their seats. Rather than "she" and "her," how about having the guts to acknowledge that you're talking about the member for Broadview-Greenwood, who's leading this charge to stop this improper appointment?

**The Deputy Speaker:** That is a point of order. It is usual to refer to people by the name of their riding.

**Mr Wettlaufer:** Before I go any further, Mr Speaker, I would like to advise that I will be sharing the rest of my time with the member for London-Fanshawe.

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*Interjection.***Mr Wettlaufer:** It's already been done.

I'm glad that the member from Hamilton West has indicated that it was the member from Broadview-Greenwood who thought that she was above the rules of this Legislature. I'm ashamed to be part of a process in which a member will no longer hold applications that come in for positions confidential.

I think it's very important that every member remember—

**The Deputy Speaker:** Order.

**Ms Churley:** On a point of order, Mr Speaker: The member from Kitchener is imputing motive here and accusing me of disclosing resumé's, which I never did. In fact, one of his very own members gave more information about what happened at that committee than I did. He's imputing motive, and I want you to ask him to withdraw.

**The Deputy Speaker:** I was listening very carefully to the member for Kitchener Centre and I think that he has been getting very close to designating actions, but I have heard no indication of imputing a motive.

**Mr Wettlaufer:** I'd just like to point out that I wasn't out of order and that I've lost a minute and a half of my time as a result of that point of order. I think it's very important that we, as members of this Legislature, respect the confidentiality process at all times.

I now want to pass the rest of my time on to the member from London-Fanshawe.

**Mr Frank Mazzilli (London-Fanshawe):** It's a privilege, and I think it's important that we go through the process the government followed in order to pick this particular individual. It's important for people of Ontario to know that there is a system in place that has been in place for some time, under different governments.

The first thing that was done was, people who were interested in applying for the post of the Environmental Commissioner responded to an advertisement in the *Globe and Mail*. This is a national newspaper, respected by many, not only in our province, but across the country. The message was certainly put out there.

None of the applicants were put forward by any party. That is extremely important because, to be independent, the name should not be put through by any party or caucus. Each caucus had the opportunity to put forward names for this position and none of them did so.

The advertisement that ran in the *Globe and Mail* for several days in September 1999 stipulated that any individuals may submit resumes by October 6, 1999. So there was a very clear indication of what the process was and that resumé's were being accepted prior to October 6, 1999, which of course, as with any job that's advertised, is a normal course to follow.

All three House leaders then referred the selection process to an all-party standing committee to follow the same process from 1994—

*Interjections.*

**Mr Mazzilli:** The opposition doesn't like that process, and I certainly understand. They would just like to appoint someone on their own, but we had a process to follow, a process that had been in place from 1994, and we did so.

Then the selection of the Environmental Commissioner was sent to the general government committee, at the same time that the selection of the Ombudsman was referred to the Legislative Assembly committee. Both committees followed the same fair and confidential process to select the best candidate for each job.

*Interjections.*

**Mr Mazzilli:** I hear from across they have a problem with that, selecting the best candidate for each job because, you see, that's what our intention is, to pick the right person for the job based on qualifications.

Then, when both of the committees have tabled the names of the intended appointments, the House ought to accept the integrity of these committees, because of course they are committees of the House and the selection process was hard for the committee members.

The one thing we know about any committee or Legislature is that we rarely agree on everything, and so we vote on things. When you vote on things, that is the democratic process. If you win the vote, then that will be it; if you lose the vote, then that is it.

*Interjection.*

**Mr Mazzilli:** From across the benches they don't understand that the election is over and that they lost. They don't seem to understand that. Surely this Legislature doesn't believe that the public involvement in politics should disqualify people from applying for a job.

I was a member of the Consent and Capacity Review Board, as were lawyers and psychiatrists and community members of all three parties in this House. I was a member of that committee after going through a selection process. That review board decided essentially on mental health issues, people appealing their involuntary status on mental health issues.

Was I partisan? Was I a card-carrying member of the Progressive Conservative Party? Yes, I was. Did that influence me on involuntary status decisions made by that board? No, it did not. I can assure you, there were members on that board from the Liberal Party, who are card-carrying Liberals, who worked on the Liberal campaign through the election, and there were members on that board from the NDP. We all worked for one common goal and that was to decide the best way to deal with those mental health issues. That's something that should not be forgotten, that we pick the best people for those boards.

I will tell you that when I decided to run in the election, I did not conduct any more hearings on the board that I was appointed to, and immediately after the election I resigned from that board, which is obviously proper, and I have done that.

This brings us back to the Environmental Commissioner, because essentially there is a non-partisan process, a process that's been in place since 1994. A com-



mittee met, a committee voted and the majority elected Mr Miller, who was picked on his qualifications. I know it disturbs members of the opposition that someone carrying a Liberal card is not the Environmental Commissioner. They would like to see all appointments across the board go to a Liberal. We disagree with that and we will have no part of that.

They do that in Ottawa. There's a vacancy in the Supreme Court and the Prime Minister goes around the country and picks someone who's loyal to him, who's raised money for him, who's done all these things. We do not do that in Ontario. In Ontario we have a process. We pick the best person for the job, and that's the way it will continue under a Mike Harris government in the province.

**The Deputy Speaker:** The member's time has expired.

**Mr John Gerretsen (Kingston and the Islands):** On a point of order, Speaker: It has never been suggested that the Environmental Commissioner be a card-carrying Liberal. What we have said throughout is that the Environmental Commissioner—

**The Deputy Speaker:** I'd like to reiterate that if there are two of us standing up, one of us is out of order, and it's not me.

Further debate?

1600

**Mr Gerry Phillips (Scarborough-Agincourt):** I appreciate the opportunity to continue the debate on the appointment of the Environmental Commissioner and just to say, perhaps at the risk of repeating what's been said before, that this is an important position. It's one of the very few in which the members of the Legislature have an opportunity to select someone who has the confidence of all members of the House. If we were to say, "It's impossible to find anybody in the province who would have the confidence of everybody in the House," that would be wrong. There is absolutely no question we can find an individual whom all three parties would have no difficulty in supporting. That's not the issue. That's what we should be looking for.

There is no question that we need in this position, just as we need in the Provincial Auditor, just as we need in the Ombudsman, somebody who has the confidence of the New Democrats, the Liberals and the Conservatives, and the confidence of the people of Ontario.

I would just say that we're making a mistake. We are making a mistake proceeding to push this through. The government can get it through, but you are doing the person an injustice, a disservice. This individual, who I gather is quite competent, could serve in a thousand other positions for the government. Why you would put this person into this position is beyond me.

I repeat, and I hope the public understands: There are very, very few positions where it has been the tradition in this province that we select someone who has the confidence of all three parties. Why we would choose this case to disregard that—I repeat, I don't know Mr Miller. I don't doubt that he's a competent individual, but

to put him into this very important position is wrong. I imagine the public understands the role of the Environmental Commissioner, but it is to be an impartial watchdog, really, on the government of the day. Governments come and go, as we all know.

In the role of Environmental Commissioner, which is to review the implementation of the Environmental Bill of Rights, to review—and this is important—ministries' compliance with the Environmental Bill of Rights, this person must be looking objectively at what each of the ministers is doing in the environment and being unfettered in their comment on it.

The Environmental Commissioner must review ministerial decisions to exempt proposals from being placed on the environmental registry—again the watchdog; review the way ministries process applications for review and investigation; review the use of whistle-blower protection rights under the Environmental Bill of Rights; and several other things.

I hope the public, in watching this—this is an important, fundamental debate. For the first time that I can recall in the Legislature, we are about to appoint a person to one of these positions, one of these very few positions, where there's not all-party agreement on it. We are putting Mr Miller in an intolerable position. I would honestly think he may want to consider—as I say, there are hundreds of other positions that the Premier could put Mr Miller into besides this one.

I always try to say to the government members, "If you were in the opposition, would you ever stand for this?" That's often a sort of litmus test. When you're in government, you assume you'll never be in opposition, but I've learned from experience that doesn't necessarily hold true. So I guarantee you, if you were in opposition and the Liberal Party or the NDP were doing this, you would be across the aisle at us—

**Ms Shelley Martel (Nickel Belt):** Hanging from the rafters.

**Mr Phillips:** Hanging from the rafters.

If I may, I'd just like to put this into the context of concerns about the direction the government is following. We don't get an opportunity to put these into context very often. I think it's unfortunate.

I'll just go through a few things that I think are diminishing the role of the Legislature, such as the fact that we will only sit for about 40 days this year. Believe me, I know that in the Premier's office there's polling done probably daily. To use the language of my colleague from St Catharines, the whiz kids say: "You don't want the House sitting, Premier. All it does is cause trouble. The media are all there. The opposition are asking nasty little questions. You're best to have it sit as infrequently as possible, so we'll sit for 40 days."

The Premier has been here, I think, 11 days. We now are almost through the year, and he has been here 11 calendar days.

**The Deputy Speaker:** Order. The Speaker has made a ruling on the issue of attendance of members in this

House. I want you to be very careful because, understand, you're on very thin ice.

**Mr Phillips:** As I say, I'm trying to put this into context, because I understand where this is coming from.

*Interjection.*

**The Deputy Speaker:** Member for Bruce-Grey, come to order.

**Mr Phillips:** The previous Environmental Commissioner was a headache to the government. The government had a choice. They hate the Environmental Commissioner. "Why don't we just get rid of it? If we can't get rid of the Environmental Commissioner," which was too messy, "let's make sure we have someone in there who will recognize the needs of the government." Sure enough, that's what we have.

The reason I'm putting this into context—you on the opposite side can accept this or not, but I'm just going through the things that are happening. On the House sitting much less frequently, the point I made where you said I was on thin ice I won't repeat, Mr Speaker.

The government believe they can put through something as sensitive as the Environmental Commissioner a political operative, albeit probably a very talented political operative.

I've also been concerned about the direction of election spending. We've been fortunate in this province, probably in this country, that there have been good, strong rules on election spending. They're changing dramatically. In the last election, I'd say as much money was spent on campaigning before the election was called as when the election was called. Even the amount that could be spent during the election went up dramatically. We have moved very quickly in this province from a tight rein on election spending to almost a wide-open one. Many candidates opened their offices two and three months before the election was called.

My concern on appointments extends to two huge organizations in the province of Ontario that are responsible for enormous spending and that have moved out of the spotlight of the Legislature and the spotlight of our public service. One is the Ontario Realty Corp, where we now have quite an independent body, an independent board of directors, and now even the president, the chief operating officer, is someone who at least has been very actively involved with the party.

The second one is the SuperBuild fund. It will have responsibility for \$20 billion of expenditures, half apparently coming from the private sector. Again, that is moving out of the spotlight of the Legislature into an agency headed up by Mr David Lindsay, who I have a lot of respect for, a very talented individual, the Premier's former chief of staff. There's no question of his talent.

The point I'm making is that one by one, the opportunity for the Legislature and the elected members to scrutinize the full range of activities by the government is leaving us. I repeat that the Ontario Realty Corp now has the responsibility for building and managing all of our offices and selling off all of our assets. By the way, previously any asset sales went to reducing the debt of

the province. That was a campaign promise, as you recall, from Premier Harris when he ran: "Every single penny of our asset sales will go to reduce the debt." Well, we just passed a law that changed that. They've said, "No, no, we can spend that however we want."

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The reason I'm raising this is that two of our major organizations, two of our major groups that are responsible for investing in infrastructure in the province are now out of the spotlight and both run by hand-picked people of the Premier.

I go even further to the changes that are going on. I'm not sure the public really care about this one, but it used to be in the Legislature that when there was a major government announcement of policy, it was announced in the House, in the Legislature. A minister got up under ministerial statements and said, "I'm announcing a major activity of the government," and we in the opposition had an opportunity to comment on that for five minutes. Seldom, if ever, does the government now make the announcement here in the Legislature. Understand why. They've been told by those around the Premier who do all the polling: "Premier, don't announce it in the House. All it does is give the opposition a chance to point out the problems with it. Why don't we go somewhere where we can have a photo op? If it's going to be something on technology, why don't we head out to Scarborough or Markham? We'll go to a place with whirling gadgets and whatnot and we will announce that." But not in the Legislature. It is too messy and the opposition and the media have a chance to ask or comment on it in an embarrassing way.

The reason I'm raising all of this is that one by one, the people in the Premier's office who think they can silence the opposition are having their way. You wonder why we're taking a firm stand on this and why we are objecting to it so much? Think about it. As I said before, here are the three people I can think of who, most importantly, are the independent watchdogs hired by the public. This is public money. I think the Environmental Commissioner's budget is well over \$2 million. The Environmental Commissioner, the Ombudsman and the Provincial Auditor have all been put into place to protect the public interest. But now one of them is going to be put under a significant cloud: the Environmental Commissioner. It has put that person into what I believe is an intolerable position.

I raise the pattern that has been going on. It started two or three years ago. The Legislature is sitting less frequently. Committees virtually never sit any longer. Hardly anything is ever referred to committees, because that would give the public a chance to come and comment on it. We passed the amalgamation bills that fundamentally changed four major communities around Ontario and we didn't allow one single member of the public to comment on it in any way, shape or form. Many of us come from a municipal background. If any municipal council ever tried to do that, the public would storm the council chambers and would physically demand to be



heard. But no, the government has found through experience that it can get away with no public hearings. So it starts there. Then it goes on to the Legislature sitting relatively infrequently. Then it goes on to the government virtually never announcing policy here in the Legislature. I understand it's a much better photo op; it's much cleaner doing it offsite with a photo op and maximizing the Premier's smiling face, but it undermines what we're attempting to do here in the Legislature.

I mention the election spending because this, in my opinion, is a growing issue. It used to be that we spent maybe \$40,000 on our campaigns. That would be a lot. This time I suspect the average Conservative member spent \$80,000 or \$90,000. I believe that.

#### *Interjections.*

**Mr Phillips:** You may laugh: \$80,000 or \$90,000. Much of it was done before the election was called. I know the candidate who ran against me had his campaign office open months before the election was called. I know for a fact that Premier Harris spent \$100 million of taxpayers' money on advertising for the 12 months before the election was called. And I know for a fact—

**Mr Doug Galt (Northumberland):** On a point of order, Mr Speaker: A figure has been put forward of a \$100 million. I think he should be able to back that up and document in this House where he gets that figure of \$100 million. That's an awful big—

**The Deputy Speaker:** I was just going to remind you that when there are two of us standing up and I'm one of them, the other one is out of order. That is not a point of order.

**Mr Phillips:** It's appropriate, though, that the Provincial Auditor, one of those three independent people that I mentioned, pointed out to the government—this was on the advertising issue; I'm glad the member raised it—"This is wrong." In fact, he sent a letter to the government weeks before the election and they didn't have the courtesy to respond to it. The auditor said to the government: "You had better get some guidelines on this. You had better get some guidelines in place."

I understand the Provincial Auditor may be on shaky ground. You've chosen to get your own person to be the Environmental Commissioner and if you get away with this, the next one will be the Provincial Auditor, who pointed out the concerns he had about the misuse of government money on advertising. I hadn't planned to spend much time on it until the member raised it, but \$100 million of public money leading up the campaign, that the auditor said, "It's time you got some guidelines, Mr Premier, and stopped abusing the public trough."

#### *Interjection.*

**Mr Phillips:** I raise this: The auditor pointed out, as the leader of the third party just noted, the complete misuse of public funds on a huge consulting project.

Why is it important that we appoint people in these positions with the confidence of all parties? It is because that person has to have the rein and the authority to be able to investigate and comment critically on minister after minister. If you had gotten away with this in the

Provincial Auditor, the Provincial Auditor would not have been able to point out all of the abuses he found, including, I might add, billions at Ontario Hydro. We now find Ontario Hydro is restating its financial statements, to take that into account.

So to the public, if you're wondering why the Legislature is having this debate, I think everybody in Ontario appreciates and understands the importance, to the future of Ontario, of our environment. Everybody in the province understands that if the government has as an Environmental Commissioner someone who will not look independently, we've got a problem.

I'm pleased to join the debate to say you're making a mistake; you're putting Mr Miller into an intolerable position. The proper thing to do would be to say, "Let's go back." I guarantee you, there are people out there who would fulfill this role exceptionally well and would have the support of the Conservatives, the Liberals and the NDP. Why don't we simply do that?

1620

**Ms Frances Lankin (Beaches-East York):** I also am pleased to be able to join in this debate with respect to the appointment of the Environmental Commissioner of Ontario.

I regret the nature of the debate that is happening in the House. I regret the fact that we have to be having this debate. I sat through the discussions yesterday afternoon and here through to midnight last night and I have to say that there were a number of occasions when I was very uncomfortable listening to members from all sides of the House, from a couple of different perspectives.

I certainly think it's unfortunate that any individual in the province of Ontario would become the subject of such debate here in the Legislature. I have to say that I lay the blame for that directly at the feet of the government for pursuing this ill-advised and obviously partisan appointment to a position which has shared the tradition and history of the other two Legislative Assembly offices, that of the Ombudsman and the Provincial Auditor. In its short time of existence here in Ontario, the Environmental Commissioner has been a non-partisan appointment. I want to spend some time talking about that and what that has meant and what it should mean.

But I do want to say that I have felt uncomfortable on behalf of Mr Miller. I don't believe he should have been put in this position of being the subject of debate by the government of Ontario in proceeding with this ill-advised motion. I will speak to this. I think that Mr Miller in some ways contributed to putting himself in this position and that comes back to the issue of disclosure of partisanship ties. But we shouldn't have been here in the first place, I guess, and he shouldn't have been the recommended candidate in the first place, because it is not within the spirit of the Legislative Assembly's definition of independence required of offices such as the Ombudsman, the Provincial Auditor and that of the subject candidate here, the Environmental Commissioner of Ontario.

There has been much said, particularly by members from the government, in the debate thus far that I

fundamentally disagree with. I want to begin with a fine point, a very specific point that was made by the member from Dufferin-Peel last night, and then echoed, as we hear many of the government comments echoed by other members, particularly newer members of the Legislature. It was echoed as the evening went on about the raising of the concern of the partisanship affiliation of Mr Miller, in this case the fact that he had been twice a candidate for the Progressive Conservative Party, once provincially and once federally, and that he was, at the time of his application and the debate of his appointment in the committee and the decision by committee, the president of the federal Progressive Conservative riding association in Nipissing, that being North Bay and the Premier's home riding area; the fact that we would raise this as a concern, the fact that we would focus on this as somehow being a violation of this individual or any other individual who would apply for such a position, a violation of their human rights of freedom of political affiliation. I was astounded to hear that assertion come particularly from the member from Dufferin-Peel, who has been here for a long time and who has a legal background and who knows better.

I find it so disturbing that we can be so cavalier in this Legislative Assembly with statements such as that and allegations such as that and to leave that impression with members of the public who may be watching this debate.

In particular, I want to provide some information that I hope will put an end to the government members bandying around that kind of assertion. I want to read to you from the human resources policy manual from the Office of the Assembly. I ask you again to remember that the position we are speaking of here, the Environmental Commissioner of Ontario, is a position that is responsible to the Legislative Assembly of Ontario, to the members of this Legislature. It is governed by and bound by the practices of the Legislative Assembly, so the human resources manual and the practices therein become extremely important to understanding the process that was undertaken with respect to the interviewing and the appointment of an individual, as well as the expectations.

Let me talk about this issue of a candidate's political involvement. Here is what it says in the human resources manual of our own Legislative Assembly:

"Every attempt should be made during the interview process to ensure that prospective employees of the Office of the Assembly are not active members or visible supporters of any political party. The rationale for that, it should be stressed during the interview, is that perception is paramount."

What this means is that even if the prospective employee states that he/she can work in a non-partisan fashion—and that's what the government is asserting about Mr Miller—if he/she is known to be an active supporter of any party, the other two parties would find such a candidate unacceptable as an assembly employee and would lose confidence in the ability of the branch to appoint non-partisan staff.

The interview question: The following is a suggested approach to dealing with the formal interview question of whether or not a prospective employee is active within a political party: "The Office of the Assembly serves all three political parties. It is therefore very important that all its employees perform their duties in a strictly non-partisan and neutral manner so as to have the trust of all members." Here's the question, folks: "Have you been or are you active in a political party, for example, fundraising, speech writing, managing a campaign or holding office?"

I ask you to please understand that the passage I just read out, the suggested question that should be put in an interview process, is exactly the process that was followed once Ms Churley became aware of Mr Miller's political background. That's exactly the process that was followed in the committee giving consideration to the appointment of the Environmental Commissioner of Ontario. The question is exactly the question that was put, that was approved by human resources according to the manual because, as it states, it is important that the individual not be known to be or seen to have been politically active in any party.

I don't understand how the government and government members can continue and can go down the road of arguing that this appointment is the same as the appointment, for example, to head up the Ontario Energy Board, a regulatory agency to which this government appointed a New Democrat; or perhaps the same as the head of the Liquor Control Board of Ontario, another regulatory agency to which an NDP government appointed a former interim Conservative leader; or, for example, an appointment to the High Commission in London, England, to which an NDP government appointed a former interim Liberal leader.

Please understand that there is nothing of similar quality or nature in these appointments. The office of the Legislative Assembly, and the Environmental Commissioner, being one of those offices, has, different than any other appointment that could be made in the province of Ontario, a relationship that relates to the members of this assembly, to all three political parties. Not just the reality of independence, but the perception of independence is paramount.

There are yards of material that have been written on this. I'm not sure if I'm more disturbed by the fact that there are senior members of this Legislature on the government side who have stood in this place and made comparisons to government appointments which are often partisan, or whether it is the fact that so many new members of this Legislature have been misled into believing that. I don't know which disturbs me more.

What I hope to do is at least put on the record, if you're going down this road—hopefully for the future, hopefully for an opportunity to restore integrity to this process at some time in the province of Ontario the expectations that have been set out. I'd like to put on the record, from the policies and procedures manual of the



Environmental Commissioner of Ontario, directly the position that we're talking about, section 7.2. I ask the members to please understand and listen.

1630

"The high conflict of interest threshold is more stringent for the offices of the provincial Legislature, such as the Environmental Commissioner, which performs an independent review of the provincial government.

"ECO employees must not participate in activities that might identify them as members or supporters of a political party."

Could you for a moment help me understand what it is about those words, "The high conflict of interest threshold," which is applied to all positions of appointments in the province of cabinet ministers, which we as members of the Legislature must abide by in terms of integrity and conflict of interest rules, the high conflict of interest threshold, which this government touts to support, that is more stringent for the offices of the provincial Legislature, such as the Environmental Commissioner?

I am left at a complete loss as to how the government members can continue to make comparisons, as they have done and as I'm sure they'll continue to do, to many of the political government appointments, and why they won't acknowledge the distinction between those appointments and appointments that deal with the office of the Legislative Assembly. The independence of these positions, I indicated, it's been written about so often.

There was a conference this year entitled Public Participation and the Environment: Five Years of the Environmental Bill of Rights in Ontario. Your government participated and helped sponsor and have a conference to celebrate the role of this independent commission and public participation set out in the bill of rights. I want to just tell you what some eminent world citizens had to say about the model here and how they had adopted it in their own jurisdictions, and why.

Brian Emmett, who is the Canadian Commissioner, Environment and Sustainable Development: "Like the Auditor General of Canada, my office is independent, is at arm's length from government, is non-partisan and professional."

Douglas Ruck, who is the Ombudsman of Nova Scotia, talked about independence and says:

"So, where does independence begin? It starts with our legislation. It must be enshrined in our legislation, as is the case of the Environmental Commissioner of Ontario, as in the case of the Office of the Ombudsman of Nova Scotia, and other ombudsman offices. Government must begin by stating that the office is independent and impartial."

In years gone by, and he's talking about the history in Nova Scotia when they didn't have such high thresholds around independence and impartiality, what happened is a former member of the House would be called or a friend of a political individual—sounds a little bit like the situation we're dealing with here—and would be asked, "Would you be interested in serving as Ombudsman?"

That didn't mean the selection was a poor one, which is what the government argues, that in this case Mr Miller has credentials which they think on the single issue of his environmental knowledge might make him an appropriate candidate—that's what the government is arguing. He says:

"That does not mean that the selection was poor. It does not mean the person did not possess the particular attributes required to do the job. But it does mean that the perception was there that this person was beholden to the government of the day. And that becomes a weakness for the office."

What that means is that with the appointment you are attempting to put through, if you pass this motion, you will contribute to the weakening of the office of the Environmental Commissioner of Ontario, because it can't be perceived to be impartial and non-partisan, given the knowledge that we all have now.

Lastly, let me quote from Robert Martin, director of the Office of the Ombudsman, United States Environmental Protection Agency:

"Functions such as the Environmental Commissioner of Ontario and the Ombudsman may serve as quintessential mediating structures because they cut across ideological and political divides and empower people where it matters, in control of their own daily lives as they live next to toxic sites and they feel the impersonal impact of environmental problems.

"The benchmarks of success can be viewed as independence, credibility, neutrality and the quality of advice offered to all parties in any kind of report, whether it's for consideration by a congressman"—he's speaking in the US situation—"or member of Parliament"—speaking to the Ontario situation—"as the case may be.... As for independence, people know when you are independent. People know when you are not. It is very clear."

I think it is truly the responsibility of the government in this case to protect the historical legacy of the Legislative Assembly that the officers of the Legislative Assembly and the officers reporting to the Legislative Assembly are maintained as non-partisan appointments and that inherent within that it requires the agreement of all three parties. It is the responsibility of the government here that has the majority to ensure that's the case.

I have to say that at the end of the day, if this government decides to proceed with this, I implore Mr Miller to search his conscience with respect to this. I believe very strongly that if, as I have heard him claim, he believes in the process of the Environmental Bill of Rights and in the process in Ontario for the protection of public participation and for the role of a watchdog on the government, then I implore him to search his conscience and understand that he in no way can ever receive the full confidence of the Legislative Assembly of Ontario, and therefore will contribute, himself, to the weakening of the office of the Environmental Commissioner of Ontario. I am so sorry that he is in this position at this point in time. I, as I said, place the blame with the government.

I want to also respond to the assertions members of the government have made that the process that's being followed with this committee recommendation, coming before this Legislature, is the same as had been done with respect to the previous and first Environmental Commissioner of Ontario, Eva Ligeti.

I don't know how to deal sometimes with assertions that are made but I know that historically the events occurred in a different way. In particular, with the appointment of Ms Ligeti, the committee that dealt with that, the members of the committee from all three political parties, worked to appoint, in consideration of the candidates, where there was unanimous support for a candidate.

The committee members did not go into that process and the first part of the deliberation of that committee—it was not obvious at first that there was a unanimous decision. What I mean by that is that the parties had differing opinions of who the candidate should be that would be recommended by the committee.

The committee worked through that and on the committee, in respect of the historical precedents in this Legislature and the expectation of unanimity of the three parties with respect to these appointments, the approach that there be complete respect for and confidence in the non-partisanship and independence and credibility of the individual being appointed, those committee members worked through until they arrived at a unanimous position.

That is the process that was followed. That is the process that you continue to say is the same with respect to Mr Miller and I am so sorry that I can't use the language to tell you what it is you're doing when you make that assertion. It would be unparliamentary, as you all know.

Lastly, I want to talk just very briefly about the assertions being made about my colleague from the riding of Broadway-Greenwood. There's a time that all of us face in our lives where we are bound by rules and by undertakings about which we sometimes feel we have to take a step beyond that. In this case I call it whistle-blowing. I applaud the member for having the courage to step outside the guidelines she was bound by. It showed the public what was happening, to expose the hypocrisy of the government with respect to this appointment and the violation of the independence and non-partisanship of that position.

In closing, I'd like to move an amendment to this motion.

I move that the motion be amended by inserting the following words after "said act": "subject to a performance review by the standing committee on general government after six months in office."

The intent of my amendment is that should this motion carry, there will be an opportunity for the standing committee to review the performance of this individual and perhaps correct a mistake I believe they're going to make.

1640

**The Acting Speaker (Mr Tony Martin):** Ms Lankin has moved an amendment that the motion be amended by inserting the following after the words "said act": "subject to a performance review by the standing committee on general government after six months in office."

Further debate.

**Mr Dan Newman (Scarborough Southwest):** I want to indicate that I'll be sharing my time with the member for Durham.

*Applause.*

**Mr Newman:** I am pleased to have the opposition applauding my presence here today and my speech to come.

I am pleased to talk about the appointment of the Environmental Commissioner and to indicate that he was the choice of the standing committee on general government. That's what we're debating here today.

The process we're going through today, or rather the debate we're talking about here today reminds me of when the new police chief was selected in the city of Toronto. An NDP socialist member of the police services board, when the media started to report that Julian Fantino may be named as the chief of Toronto, got out there in the public spotlight and said the process was flawed. Isn't that the socialist way? When socialists don't get their way, they start to complain about the process. It's like a schoolyard bully: If you're not going to play the game by his rules, then he won't play at all. That's what we have with the NDP here today.

I think we have to look no further than the recent provincial election. The NDP was complaining about the election lists that the federal government was giving to them. They claimed that the lists were flawed, that somehow the process was flawed again. It's the socialist way. If you don't get your way, if your person doesn't win, then somehow the process is flawed.

**Ms Marilyn Mushinski (Scarborough Centre):** Crybabies.

**Mr Newman:** Crybabies indeed, I say to the member for Scarborough Centre. That's what the NDP is all about.

I think it's important that we look at some previous legislative appointments in this place. Over the past decade this Legislature has appointed a Provincial Auditor, an Ombudsman, two information and privacy commissioners, two integrity commissioners, a Chief Election Officer and an election finances commissioner—eight major appointments. Do you know how long these appointments were debated in this House? Those eight major appointments were only debated for a total of 65 minutes.

We've been debating the appointment of the Environmental Commissioner for over 10 hours over the last few days. For those eight major appointments by previous governments, that would have left an average of eight minutes per appointment to be debated in the House. Again, we have spent 10 hours debating the



appointment of the Environmental Commissioner. I would suggest to you that the opposition members are playing nothing more than silly opposition games. They can't get their way, so somehow they're going to play bully in the schoolyard and try and play bully here in the Legislature.

I've listened to the members opposite refer to the individual whose name has been put forward and indicate that this person is somehow the president of the Premier's riding association. That simply is not true. If you look at the name of the Premier's riding association president, his name is actually—

*Members pounding on desks.*

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** On a point of order, Mr Speaker: I am trying to listen to the debate on this motion. I could possibly be interested in this debate.

**The Acting Speaker:** I have to say I'm having a hard time hearing the speaker too, so if you would refrain from banging on your desks, it would be helpful to everybody.

Member for Scarborough Southwest.

**Mr Newman:** What I was trying to point out was that over the last few days the opposition members have been trying to indicate that the person whose name has been put forward as Environmental Commissioner is the Premier's riding association president. I just want to indicate again that that simply isn't true. If they had done their research—

**Mr James J. Bradley (St Catharines):** Federal.

**Mr Newman:** Now they use the word "federal." They hadn't been using the word "federal" over the last few days. I wouldn't want to say that they're misleading; I would probably want to say that they haven't been as clear as they probably would want to be.

The Premier's riding association president is actually David Liddle. David has been the president for the last several years. Gordon Miller may have been a federal riding association president, and I know it's tough for the opposition members to look at that—

*Interjection.*

**The Acting Speaker:** Order. Excuse me. Sit down. You cannot speak in the House unless you're in your chair.

**Mr David Young (Willowdale):** On a point of order, Mr Speaker: As hard as I'm trying, I have not been able to hear the speaker addressing this chamber. I wonder if there's any way that we could resume some sort of order so that I could hear the words of the speaker.

**The Acting Speaker:** The member has a good point. We do need to hear the speaker as he presents to us in this place. So if you would keep order it would be appreciated.

Member for Scarborough Southwest.

**Mr Newman:** I wanted to indicate that some days the members opposite say that members of this party are Reformers, other days they say that we're federal Conservatives. They can't have it both ways.

*Interjections.*

**Mr Newman:** They laugh. Liberals can have it both ways.

Yes, I say to the chief government whip that this appointment process was indeed a fair and open one. It was a process where there was an all-party committee, the standing committee on general government. Names were put forward after people had submitted their names through an ad that was placed in the *Globe and Mail*. Caucuses of all three parties had the opportunity to put names forward and none of the three parties put names forward.

Mr Miller's appointment was approved by an all-party committee, and what does the opposition do now? They don't like the end result, so somehow the system is flawed and they're playing silly political games here. It's exactly the same process that was used to select the new Ombudsman. Both committees followed the same fair and confidential process. Well, I should say that most members followed that same confidential process. But they're continuing to play silly games and I think not respecting the rights of the members of the standing committee on general government who listened to the people who came forward with interviews and looked through the resumé.

I'm not going to go at length about how qualified Mr Miller is for this position. What the opposition wants you to think is that somehow if you're involved in the political process you should be disqualified or discriminated against from applying for any job. That's not the case at all. The Liberals and the NDP today and over the last few days have been trying to make political mileage out of this statement with what they're doing here today.

**Mr Gerretsen:** On a point of order, Speaker: We have never suggested that Mr Miller shouldn't apply for a job. He shouldn't have applied for this one.

**The Acting Speaker:** That's not a point of order.

**Mr Newman:** I know that I'm being heckled here today. It's because I've hit a nerve with them. They know what I'm saying is truthful. The fact of the matter is that they've tried to make political hay with this across Ontario, but right now the people of Ontario are not talking about it in Tim Horton's, they're not talking about it at Country Style donuts or Coffee Time. They're not talking about it on Main Street, Ontario. They're not talking in the busy shopping malls about this and they're not talking about it at the kitchen table.

What we have here today is what I think is a routine appointment. We've spent over 10 hours debating this issue and even the *Toronto Star*, on page A34, says that Miller has an "appreciation for the environment and a decent working knowledge of environmental law, regulation and policy." It goes on to state, "He's deeply involved in conservation, the head of one interested in Lake Nipissing and another that keeps a close watch on Trout Lake and the source of North Bay's drinking water."

So I think what we have here today is the opposition stalling and delaying things. I believe Mr Miller is emin-

ently qualified for this position. I think the opposition would rather have a professional bellyacher up there as the Environmental Commissioner, but the position of Environmental Commissioner goes beyond partisan politics. This position requires an individual who can take an active role in working with policymakers to find realistic solutions to problems, and I would expect, should Mr Miller's appointment be carried, that he would have to work hard on behalf of the people of Ontario.

What the opposition wants you to believe is this: If you haven't hugged a tree, you're simply not up to the job.

**Mr John O'Toole (Durham):** It's a pleasure to follow the member for Scarborough Southwest. He has put on the record the substance of the debate we've listened to with over 25 speakers over the last couple of days. Yet it's my understanding the committee met for almost 20 hours over 11 or 12 meetings and sub-committee meetings. The civil servants, I imagine, have spent considerable time reviewing and evaluating objectively the 71 applicants for the position.

So I think the debate has gone on a considerable length of time, and I just want to make sure that we put on the record that this particular—

*Members pounding on desks.*

**The Acting Speaker:** Order. Will the members please come to order.

We'll recess the House for five minutes.

*The House recessed from 1652 to 1659.*

**The Acting Speaker:** The member for Durham.

**Mr O'Toole:** Mr Speaker, I would put to you that there's been more time spent on this particular debate than any prior appointment of a commissioner. I know that in all decisions there's a time for leadership and there's a time for decisiveness. I think that time has come.

Mr Speaker, I would move that we put the question now.

**The Acting Speaker:** Mr O'Toole has moved that the question be now put. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

All those—

*Interjections.*

**The Acting Speaker:** We're in the middle of a vote here. Please sit down.

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1700 to 1730.*

**The Acting Speaker:** Members will take their seats.

All those in favour of the motion will rise one at a time and be recognized by the Clerk.

Clark, Brad  
Clement, Tony  
Coburn, Brian  
DeFaria, Carl  
Dunlop, Garfield  
Ecker, Janet  
Elliott, Brenda  
Flaherty, Jim  
Galt, Doug  
Gill, Raminder  
Guzzo, Garry J.  
Hardeman, Ernie  
Hastings, John

Johnson, Bert  
Kellis, Morley  
Klees, Frank  
Martiniuk, Gerry  
Maves, Bart  
Mazzilli, Frank  
Molinari, Tina R.  
Munro, Julia  
Murdoch, Bill  
Mushinski, Marilyn  
Newman, Dan  
O'Toole, John  
Ouellette, Jerry J.

Snobelen, John  
Spina, Joseph  
Sterling, Norman W.  
Stewart, R. Gary  
Stockwell, Chris  
Tascona, Joseph N.  
Tilson, David  
Tsubouchi, David H.  
Turnbull, David  
Wettlaufer, Wayne  
Wilson, Jim  
Wood, Bob  
Young, David

**The Acting Speaker:** All those opposed will rise one at a time and be recognized by the Clerk.

#### Nays

Agostino, Dominic  
Bisson, Gilles  
Boyer, Claudette  
Bradley, James J.  
Caplan, David  
Christopherson, David  
Churley, Marilyn  
Dombrowsky, Leona

Duncan, Dwight  
Gerretsen, John  
Hampton, Howard  
Hoy, Pat  
Kennedy, Gerard  
Kormos, Peter  
Kwinter, Monte  
Lalonde, Jean-Marc

Lankin, Frances  
Levac, David  
Marchese, Rosario  
Martel, Shelley  
McGuinty, Dalton  
Peters, Steve  
Sergio, Mario

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 51; the nays are 23.

**The Acting Speaker:** I declare the motion carried.

**Mr Duncan:** On a point of order, Mr Speaker: I rise on a point of order with respect to standing order 47. That is the standing order which deals with motions of closure. It is the contention of the official opposition that this vote and the motion that precipitated it are out of order. Allow me to read to you the salient section of standing order 47:

"A motion for closure, which may be moved without notice, until it is decided shall preclude all amendment of the main question, and shall be in the following words:—'That this question be now put.' Unless it appears to the Speaker that such motion is an abuse of the standing orders of the House or an infringement of the rights of the minority...."

Mr Speaker, you accepted the motion and allowed the vote without telling this House whether you thought it was either an infringement of the rights of the minority or an abuse of the standing orders. It is the position of the official opposition that that closure motion and the vote that it precipitated were both an abuse of the standing orders of the House and an infringement on our rights.

Mr Speaker, we have members who still wanted to debate this motion and we were not given an opportunity by yourself, as Chair, to put this question before you allowed the vote. Indeed, we stood on the point of order before the member made the motion. Accordingly, I ask you to rule the previous vote out of order for the two reasons: First, it's abuse of the standing orders by the majority and, second, it's an infringement on the rights of every minority member of this House.

**Mr Christopherson:** On the same point, two aspects: One is the inability of the House leader of the official

#### Ayes

Baird, John R.  
Barrett, Toby  
Beaubien, Marcel  
Chudleigh, Ted

Hodgson, Chris  
Hudak, Tim  
Jackson, Cameron  
Johns, Helen

Palladini, Al  
Runciman, Robert W.  
Sampson, Rob  
Skarica, Toni



opposition or myself to place our concern about the appropriateness of the motion at the time. It would seem to me that certainly the House leaders ought to be given even just half a minute to at least outline what the concern is at the point where a government has introduced a motion that is about to muzzle this place. That's our first concern, that we didn't get an opportunity to make that argument at the time.

The appropriateness of that motion is that first of all a member of our caucus, the member for Beaches-East York, had just placed an amendment and we had absolutely no opportunity whatsoever to debate that amendment. Second, when we look at what happened in the past in terms of precedent, I would draw your attention to what happened on December 3, 1992, when there was a motion to close debate at that time.

In fact, it was made by us when we were in government, but it was not allowed because 12 hours wasn't deemed to be enough. On May 6, 1992, on another closure motion, the Speaker ruled at that time that 20 hours was not enough. We had well below 20, below 12, and an amendment just placed on the floor, and the government decided that's when they were going to muzzle this House.

Yesterday the chief government whip stated in the House, "This House has seen other substantive government motions, such as address in reply to the throne speech, as well as a budget debate called in both the afternoon and the evening of the same calendar day." The chief government whip made the argument (1) that this is a substantive motion and (2) that it was the same as a throne speech and a budget debate.

I would point out to you, Speaker, under standing order 41(a) that for a speech from the throne there are six days of debate and that under standing order 57(b), dealing with budget motions, there are to be four sessional days on the budget motion. All of those things are greater than the amount of time that we have been given. I join with the House leader of the official opposition and ask you to now reconsider whether or not that closure motion was indeed in order and whether or not it should have been put to this House.

**The Acting Speaker:** I've ruled on the motion. I stay by my ruling.

Mr Sterling has moved government motion number 3.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

"Pursuant to standing order 28(h), I request that the vote on motion by Mr Sterling for government order number 3 be deferred." The vote is accordingly deferred.

**Hon Mr Sterling:** Mr Speaker, I seek unanimous consent to call orders Pr1, Pr6, Pr7, Pr8, Pr13, Pr14 and Pr15 so that they may be moved and debated concurrently for second and third reading.

**The Acting Speaker:** Unanimous consent? Agreed.

1740

#### HARBOURFRONT TRAILER PARK LTD. ACT, 1999

Mr Dunlop moved second reading of the following Bill: Bill Pr1, An Act to revive Harbourfront Trailer Park Ltd.

**The Acting Speaker (Mr Tony Martin):** Is it the pleasure of the House that the motion carry? Carried.

Mr Dunlop moved third reading of the following Bill: Bill Pr1, An Act to revive Harbourfront Trailer Park Ltd.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

#### ASSOCIATION OF REGISTERED INTERIOR DESIGNERS OF ONTARIO ACT, 1999

Mr Wood moved second reading of the following bill: Bill Pr6, An Act respecting the Association of Registered Interior Designers of Ontario.

**The Acting Speaker (Mr Tony Martin):** Is it the pleasure of the House that the motion carry? Carried.

Mr Wood moved third reading of the following bill:

Bill Pr6, An Act respecting the Association of Registered Interior Designers of Ontario.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

#### TOWN OF PICKERING ACT, 1999

Mr O'Toole moved second reading of the following bill:

Bill Pr7, An Act respecting The Corporation of the Town of Pickering.

**The Acting Speaker (Mr Tony Martin):** Is it the pleasure of the House that the motion carry? Carried.

Mr O'Toole moved third reading of the following bill:

Bill Pr7, An Act respecting The Corporation of the Town of Pickering.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

#### TOWNSHIP OF NORTH KAWARTHA ACT, 1999

Mr Stewart moved second reading of the following bill:

Bill Pr8, An Act to change the name of The Corporation of the Township of Burleigh-Anstruther-Chandos to The Corporation of the Township of North Kawartha.

**The Acting Speaker (Mr Tony Martin):** Is it the pleasure of the House that the motion carry? Carried.

Mr Stewart moved third reading of the following bill:

Bill Pr8, An Act to change the name of The Corporation of the Township of Burleigh-Anstruther-Chandos to The Corporation of the Township of North Kawartha.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

PEMBRIDGE INSURANCE  
COMPANY ACT, 1999

Mr Wood moved second reading of the following bill:  
Bill Pr13, An Act respecting Pembridge Insurance Company.

**The Acting Speaker (Mr Tony Martin):** Is it the pleasure of the House that the motion carry? Carried.

Mr Wood moved third reading of the following bill:  
Bill Pr13, An Act respecting Pembridge Insurance Company.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

BLUE MOUNTAIN VILLAGE  
ASSOCIATION ACT, 1999

Mr Murdoch moved second reading of the following bill:

Bill Pr14, An Act respecting Blue Mountain Village Association.

**The Acting Speaker (Mr Tony Martin):** Is it the pleasure of the House that the motion carry? Carried.

Mr Murdoch moved third reading of the following bill:

Bill Pr14, An Act respecting Blue Mountain Village Association.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

MUNICIPALITY OF  
KINCARDINE ACT, 1999

Mr Murdoch moved second reading of the following bill:

Bill Pr15, An Act to change the name of The Corporation of the Township of Kincardine-Bruce-Tiverton to The Corporation of the Municipality of Kincardine.

**The Acting Speaker (Mr Tony Martin):** Is it the pleasure of the House that the motion carry? Carried.

Mr Murdoch moved third reading of the following bill:

Bill Pr15, An Act to change the name of The Corporation of the Township of Kincardine-Bruce-Tiverton to The Corporation of the Municipality of Kincardine.

**The Acting Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

ROYAL ASSENT  
SANCTION ROYALE

**The Acting Speaker (Mr Tony Martin):** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Administrator of Ontario has been pleased to assent to certain bills in his office.

**Clerk Assistant (Ms Deborah Deller):** The following are the titles of the bills to which His Honour did assent:

Bill 11, An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting four new Acts / *Projet de loi 11, Loi visant à réduire les formalités administratives, à promouvoir un bon gouvernement par une meilleure gestion des ministères et organismes et à améliorer le service à la clientèle en modifiant ou abrogeant certaines lois et en édictant quatre nouvelles lois;*

Bill 22, An Act in memory of Sergeant Rick McDonald to amend the Highway Traffic Act in respect of suspect apprehension pursuits / *Projet de loi 22, Loi commémorant le sergent Rick McDonald et modifiant le Code de la route en ce qui concerne les poursuites en vue d'appréhender des suspects;*

Bill 25, An Act to provide for the restructuring of four regional municipalities and to amend the Municipal Act and various other Acts in connection with municipal restructuring and with municipal electricity services / *Projet de loi 25, Loi prévoyant la restructuration de quatre municipalités régionales et modifiant la Loi sur les municipalités et diverses autres lois en ce qui a trait aux restructurations municipales et aux services municipaux d'électricité;*

Bill 27, An Act to amend the Pension Benefits Act and the MPPs Pension Act, 1996 / *Projet de loi 27, Loi modifiant la Loi sur les régimes de retraite et la Loi de 1996 sur le régime de retraite des députés.*

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** Mr Speaker, I ask for unanimous consent that we continue sitting past 6 of the clock, begin our evening session at 6 o'clock and not recess for dinner this evening.

**The Acting Speaker:** Is there unanimous consent? Agreed.

UNIVERSITY OF OTTAWA  
HEART INSTITUTE ACT, 1999  
LOI DE 1999 SUR  
L'INSTITUT DE CARDIOLOGIE  
DE L'UNIVERSITÉ D'OTTAWA

Mr Sterling, on behalf of Mrs Witmer, moved third reading of the following bill:

Bill 39, An Act respecting the University of Ottawa Heart Institute / *Projet de loi 39, Loi concernant l'Institut de cardiologie de l'Université d'Ottawa.*

**The Acting Speaker (Mr Tony Martin):** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

*Report continues in volume B.*



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of Ontario**  
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**Assemblée législative  
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Première session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 22 December 1999**

**Mercredi 22 décembre 1999**



**Speaker**  
Honourable Gary Carr  
  
**Clerk**  
Claude L. DesRosiers

**Président**  
L'honorable Gary Carr  
  
**Greffier**  
Claude L. DesRosiers

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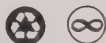
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 22 December 1999

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 22 décembre 1999

*Report continued from volume A.*

1750

## CHRISTOPHER'S LAW (SEX OFFENDER REGISTRY), 1999 LOI CHRISTOPHER DE 1999 SUR LE REGISTRE DES DÉLINQUANTS SEXUELS

Mr Mazzilli, on behalf of Mr Tsubouchi, moved second reading of the following bill:

Bill 31, An Act, in memory of Christopher Stephenson, to establish and maintain a registry of sex offenders to protect children and communities / Projet de loi 31, Loi à la mémoire de Christopher Stephenson visant à créer et à tenir un registre des délinquants sexuels en vue de protéger les enfants et les collectivités.

**Mr Frank Mazzilli (London-Fanshawe):** Earlier this month, the Solicitor General introduced Christopher's Law, a bill that is the first of its kind in Canada. It provides crucial and comprehensive legislation establishing a provincial sex offender registry. I would now urge swift approval of second reading of the proposed law, which sets a precedent in this country for ensuring the safety and security of our children. As you know, Ontario had to take the initiative in creating the sex registry because the federal government has yet to act and create a national registry.

In considering the bill, we need to keep one primary objective in focus: to protect our children, wherever they may be, from sexual predators. Our children, no matter what age, have the right to feel safe and to be safe, and parents to know that legislation is in place to protect their children and their families.

Christopher's Law is named after 11-year-old Christopher Stephenson, who was abducted and brutally murdered by a convicted pedophile who was under mandatory federal supervision when he committed this horrific crime. Putting the sex offender registry in place is a matter of urgency. If passed, the law would provide a crucial tool for local police officers in making them aware of sex offenders in their community and their whereabouts. Offenders would be required to register with local police within 15 days of their release from custody.

The comprehensive nature of this bill means that even those offenders who have received absolute or conditional discharges would have to register, with no exceptions. Police already have the authority to disclose names

of sex offenders in the interest of public safety, but now with Christopher's Law this is a logical next step in providing Ontario with a comprehensive new tool of registering sex offenders. This ensures we will have the information on the locations of these offenders as soon as they are released from custody. Police would also have the power to arrest sex offenders who break Christopher's Law.

Quick passage conveys a clear message that our government and this province have zero tolerance for anyone who poses a threat in our communities. The proposed registry is a crucial step in enhancing public safety and honouring our commitment to make Ontario a safer place for people to work and raise a family.

As I said earlier, this bill's passage into law will serve to honour the memory of Christopher and contribute to the overall goal, one I'm confident everyone in this Legislature shares, of enhancing public safety and protecting our children. For those who want to prey upon the most vulnerable victims in our society, we have another clear message. They will be closely monitored and failure to register will result in significant consequences for sex offenders.

**The Acting Speaker (Mr Tony Martin):** Questions and comments?

**Mr Dave Levac (Brant):** I'd like to compliment the member for London-Fanshawe for his words. I know in his heart he feels very dear about this particular topic.

I want to emphasize again to this House that the Liberal Party is most definitely eager to pass this law. As I promised the member opposite and the Solicitor General, we will do whatever we can to ensure quick passage comes to this bill because it is important.

Christopher Stephenson was an 11-year-old boy from Brampton who was abducted and murdered in 1988 by a pedophile on parole. To acknowledge anything less in terms of our need to improve the situation for the province of Ontario, for the citizens of Ontario, would be a misnomer indeed. What I would like to also reiterate is that I was fortunate enough to meet the Stephensons and relay to them my deepest sympathies and my heartfelt prayers that their fight will not go unheard.

I will also tell the House that I have personally made some phone calls to some MPs in the federal government to ensure that all Ontarians and this House are dedicated to ensuring that if we can do anything from this side, and I'm sure it would happen on that side too, to have the federal government issue a complete national registry, we would definitely be on side with that.

The bill requires an offender to register in person at a police station at least once a year to update their information at that time. Depending on the nature of the conviction, they may have to continue reporting for the rest of their lives. This we agree with.

We also want to point out some important points. The establishment of this registry is of the utmost importance, but we ask one question: Why did it have to take so long? Since 1995 this has been on the government's docket. The last time they introduced the bill was just days before the House dissolved, before the 1999 election. Today we're discussing the bill again for the very same reason.

**The Acting Speaker:** Further comments and questions? Response.

**Mr Mazzilli:** If I can refer this to the standing committee on justice—no?

**The Acting Speaker:** This is the member's response to the two-minute comments.

**Mr Mazzilli:** I know that on public safety issues, including the pursuit legislation in relation to Sergeant Rick McDonald, we've had extremely good co-operation in this Legislature among all three parties. I suspect and I hope that in memory of Christopher Stephenson the same will take place on this very important initiative of establishing a registry for people convicted of very serious sex crimes. If we look at the bill, it's very comprehensive in that essentially every offence in the Criminal Code that has anything of a sexual nature is included in Bill 31, so that once you are released from custody, within 15 days you must register with the police.

Again, back to the co-operation that we've had in this House on public safety issues, that wasn't always the case. On the safe streets legislation we were opposed. We were opposed on making our streets safe. We had to work very hard to get through a piece of legislation that allowed for our communities to be safe. Mr Kormos, the member from Niagara, referred to the ways and means act, I believe. I've taken enormous time in researching the ways and means act and I've found it doesn't exist. I am hoping that for the good of the Stephenson family this act will exist very shortly.

**The Acting Speaker:** Further debate?

**Mr Levac:** I want to continue with some of the points I wanted to make. I would submit to you that this party would like to have seen Christopher's Law implemented much earlier. The Premier was busy attacking squeegee kids. In the final days of the session, we're still debating the appointment of a very questionable member to a committee.

As I was referring to, I was in correspondence with the Stephenson family. They basically indicated that they appreciated the support that all sides of the House were giving, and that they did believe very clearly—and I want to make sure everyone is aware of this—that closure was finally coming for their family with the implementation of this particular law. They think that more needs to be done, and I agree with them. With co-operation among members of this assembly and also with the federal gov-

ernment, we would be able to see more justice portrayed across the entire country, not just Ontario, but for the sake of all of our kids across our great nation.

I don't think anyone would debate whether anyone wants to form a registry. I would also submit very respectfully that with more co-operation in this House and more co-operation with members of all parties at the federal level, we would very quickly see passage to protect our children. There's no doubt in my mind that that's the objective of everyone in this House.

We also would like to say to you that, as the North Bay Nugget reported after the initial introduction of the bill in April, even Jim Stephenson, Christopher's father, isn't certain that a registry would have saved the life of his son, but he does say that if we can do anything at all to put in law those types of things that could possibly protect children, we should be doing so and putting it forward as quickly as possible. We definitely agree with that.

I also want to point out a few more issues. As I've told the Solicitor General in the past, there are some issues and some areas that surround this particular law, that go hand in hand with this registry, that would ensure that our children are safer than they already are.

#### 1800

The Liberal justice position is very simple. We do know, and I think the government would have to acknowledge, that probation caseloads are astronomical. They are absolutely unacceptable. We are the highest in the country with 117 cases, and the average is 72 cases. That is not an acceptable workload for those people who need to do their jobs to ensure that, for those people who are put into our society and still need supervision, it's done quickly, it's done effectively and it's done with professionalism. "It's an unacceptable situation which jeopardizes public safety," say the case workers.

Tougher penalties for customers of child prostitutes: We have a private member's bill from a member on this side, from Sudbury, that I believe the government wants to support, and I'm looking forward to that as well. He has introduced a private member's bill to toughen up penalties for customers of child prostitutes under the age of 18. We should not accept johns soliciting those types of services from anyone under 18 years of age, or for that matter anyone at all.

We proposed school safe zones. As part of the 1999 election campaign, we put forward the idea of creating safe school zones so that if anyone was found inside that safe school zone within a number of blocks from the school, who had on their person any drug or weapon, it would result in automatic stiff penalties.

The government has introduced some of these issues inside the school, that they want to get tough on the students. An awful lot of times we find out it is people who are from outside the school system who need to be taken care of and removed from the school zone.

We also support greater funding for the Ontario Provincial Police Project P, to fight against child pornography. If we are able to start getting to the root of the



problem, that is, those people who purvey those things they believe is their right, and who believe it's perfectly OK to indulge in child pornography—we believe the opposite very strongly. We believe that if Project P was put into place, we would also be able to rid these pedophiles of these vices that they have.

**Better mental health supports:** We continue to argue that the province has the responsibility to ensure that nobody is released from our mental health institutions without ensuring that there is somewhere for them to go so they continue to receive some kind of care and supervision, which they desperately need.

Of the 117 cases we presently see our probation officers faced with, an awful lot of those people have mental health illnesses. They shouldn't be spending their time on them; they should be spending their time and focusing on the child abusers, the pedophiles.

We also support victims' rights very strongly. We support stronger victims' rights. Right now, as it stands, there are agencies in our province that are on a six-month funding formula. That's not a way to take care of our victims. There are only a few places in the province where the funding is stable right across. We have areas that have only six-month funding, and a lot of these are on a volunteer basis. They don't need any other hassle. They need to be sure the funding they need to take care of the victims is right in place.

As a result of a lawsuit initiated by victims, the Victims' Bill of Rights was long ago determined by an Ontario judge to be absolutely useless. There are no teeth to it. Government lawyers in the suit argued that it's a statement of principle. If their dedication of a statement of principle was as strong as what they propose this law is, then I would suggest and respectfully submit to the government that they would remove that statement of principle and turn it into an actual fact, an actual belief that the government has in victims' rights. Denying that doesn't confer any kind of rights at all.

Lawyers of the Attorney General argue that the statute does not impose an obligation on any specific office or person within the criminal justice system. Justice Gerald Day called the Ontario legislation flawed and toothless.

Let me return to Christopher's Law specifically. To wrap up what I want to say to you very clearly, I have a passion for this particular area. I have explained to the Solicitor General that along with myself and the Liberal Party, I'm sure the opposition and the government itself see this issue as something that's not acceptable in our society today. I hope and I pray that all of us in this House would put aside any concerns we have regarding the intent of this law, put forward any other suggestions we might very well have for improvements, but get this part of the law on the books as soon as possible so that at least we have a stepping-stone, a building block to improve the lot of our children so that from day one, when this law gets passed, we will be able to put forward a signal to the province and indeed a signal to the rest of the country that here in Ontario we want our children protected, and that as an example we can hold our hand

out to the national field and say to the federal government and to all other provincial governments, "We work together to ensure that our children are safe right across, border to border."

**The Acting Speaker:** I bring to the attention of the House the presence of a friend of mine and of this place, Ms Margaret Harrington, who was the member for Niagara Falls for about five years, and her daughter, who has been an intern in this place for the last number of months.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** On a point of order, Mr Speaker: I want to point out she's a friend of mine too.

**The Acting Speaker:** Further debate.

**Mr Peter Kormos (Niagara Centre):** We in the New Democratic Party were anxious to see this matter called for second reading. It's unfortunate that it's called so late in the session, because there are some important things to be said about this legislation. I've made a commitment to the government House leader to speak to this matter for 10 minutes. I hope he listens carefully to my comments today so he isn't put into another position where he fails to accurately relate to the assembly what happened with respect to this caucus's response to a particular piece of legislation.

We support this legislation. We understand as well the difficulties that the province has in enacting it on a merely provincial basis, but the province's jurisdiction doesn't expand or extend beyond the boundaries of the province.

Let's also understand that this is one of the many recommendations made by the coroner's inquest into the tragic slaughter, murder, of young Christopher Stephenson. In fact, it's recommendation 44. I would, as I have in the past, encourage people who want to respond to this bill to read those recommendations and understand that this bill is a response to but one of many. It's a very important coroner's inquest set of jury recommendations. The recommendation was of course for the Solicitor General of Canada, in conjunction with the Ontario Ministry of the Solicitor General and the police and other appropriate bodies, to establish this type of registry.

The rationale given by the jury was one which reflected the evidence they received. That is that: "A very important tool in understanding and dealing with violent sexual predators"—I'm quoting from their recommendation now—"is to have full and complete access to that person's history, be it from a correctional facility or a mental health facility. If a summary of this information could be kept in a central registry for access by local police, the Royal Canadian Mounted Police and others, it could greatly assist the investigation and apprehension of sexual offenders." That implies, of course, that it would be all the more appropriate were this a nation-wide registry. But again, the scope of this Parliament is to establish a provincial one.

I haven't the time today, but I will in due course refer to how this particular bill fits into the broader range of

recommendations, the complete range of recommendations. One that's very important that accompanies this one is the recommendation that the Correctional Service of Canada—that's our federal penal system—and the RCMP expand the capacity of CPIC—that's the federally monitored police information system—to provide enhanced offender information in CPIC—not just in this registry, but in CPIC. That's what a police officer can access readily, more often than not now, in most communities, even through a computer in their car, if not through their detachment, through their dispatcher, to provide enhanced offender information, including conditions of release, complete criminal histories, details of the offences—to wit, *modus operandi*—psychiatric diagnosis as well, and sources for other information. This means that police officers would be able to access this brief summary of information very quickly, without going through this somewhat more restrictive, in terms of access at least, central registry of sex offenders, predators in most instances.

1810

We want this bill to pass. I understand and we in this New Democratic Party understand that the limited capacity of Bill 31 is just one part of the bigger puzzle, just one piece. But that being the case, it's imperative that this bill be passed but that it be enacted in proper form, that it do everything it can do within the limited scope of the jurisdiction of the province.

The Solicitor General's parliamentary assistant I'm sure has many qualities; if I called his spouse or his kids, they might mention a few of them to me. One of his shortcomings, though, is in the area of research. He hasn't demonstrated strong research skills. He betrayed that dearth of research skills earlier this afternoon in his brief comments, indicating he spent a long time in the library; I doubt that very much. His inability to find certain information—

*Interjection.*

**Mr Kormos:** Look, no quarrel with you, Mr Mazzilli. I'll help you as much as I can, OK? I'm here to serve, and I'll assist you in this matter as much as I can and I'll do it in good faith. Just as in Bill 22 I asked you for data, I think it's important that you get your staff to start compiling some of the data that's relevant to a discussion of this particular bill in terms of how this bill can be made as effective as it can be within the restrictions the province has.

I have concern, Mr Mazzilli, about your comments here, when you introduced this matter, about who it applies to. Please, read with me. Take a look at section 1, which says "offender"—those are the people required to register—means only those people who have been convicted. You talk about people receiving absolute or conditional discharges. I'm sorry, my friend, but they're not included here in your definition of "offender." So people who receive absolute or conditional discharges won't be required to register. If that's your intent, fine, but say so. That's why we should be dealing with this a little more thoroughly.

Even more dramatically, take a look on page 3 of your printed bill. Please, Mr Mazzilli; I trust you've read this. Take a look at subsection (4) and this bizarre language, the condition under which a person has to register: "Within 15 days after he or she receives an absolute or conditional discharge in respect of a sex offence, if he or she was found not criminally responsible of the offence on account of mental disorder." This is pretty fundamental stuff, but if you're found not criminally responsible, you're neither convicted nor found guilty. You don't get a discharge, either absolute or conditional, if you're found not criminally responsible. Do you understand what I'm saying? It's pretty plain, pretty straightforward.

There are some errors in the drafting of this legislation. They're going to create some incredible loopholes, honest. I'm concerned enough about it and the New Democrats are concerned enough about it that we want to make sure that this bill is cleaned up so it does the job that, God bless them, the Stephenson family want it to do and that every single citizen of this province who has any concern at all about the welfare of our children would want it to do.

I'm confident you share my concern about that. I'm confident that you will join me in calling for some modest public hearings around this. There are some in this chamber who would have suggested that this bill receive second and third reading before we retired. There are some in this chamber who made that suggestion. Had they been allowed to do that, some very serious problems would have developed because of some real problematic and inadequate and sloppy draftsmanship that accompanied this particular bill.

We need committee hearings. We can do them here in Toronto. I want committee hearings so we can correct the errors in this bill. I have no hesitation in revealing them to you now. Get to work on this so that by the time we get to committee, we can start dealing with a bill that's properly written and so we can talk about the bill in the context of those recommendations by that coroner's inquest jury.

Let's get moving on this. We've got an intersession coming up where members won't be required to sit here in Parliament. Let's get to work and make this bill the bill it should be if we're going to protect kids, or do as much as we can to protect kids, from pedophiles and other predators. Please join with me in that, Mr Mazzilli. Please, call for committee hearings.

**The Acting Speaker:** Further debate?

**Mr Mazzilli:** Speaker, if I could refer this to the standing committee on justice.

**The Acting Speaker:** Just a moment. Mr Mazzilli has moved second reading of Bill 31. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be called for third reading? No.

**Mr Mazzilli:** Mr Speaker, if I can now ask for this bill to be referred to the standing committee on justice and social policy.



**The Acting Speaker:** Is it the pleasure of the House? It is referred; it is the pleasure of the House. Agreed.

### HOUSE SITTINGS

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I ask for unanimous consent that notwithstanding standing orders 8(a) and 96(a), the House will not meet on the morning of Thursday, December 23, 1999, to consider private members' public business.

**The Acting Speaker (Mr Tony Martin):** Is it the pleasure of the House? Agreed?

**Mr David Christopherson (Hamilton West):** On a point of order, Mr Speaker: I had approached the table earlier. There's not going to be a problem, Norm; calm down. I just wanted to get the assurance, because I thought it was going to be worded into the actual motion, that those two members who have their Thursday morning won't lose their spot; they'll just go to the top when we return. If I could receive that assurance now, even verbally, that would satisfy our needs.

**The Acting Speaker:** I'm told by the table that it's not necessary to be in the motion. It automatically happens. They will be next in line when the House returns. They will not lose their order.

**Mr Christopherson:** It's also in the Hansard now.

**The Acting Speaker:** Is there unanimous consent? Agreed.

1820

### COLLECTION AGENCIES AMENDMENT ACT, 1999

### LOI DE 1999 MODIFIANT LA LOI SUR LES AGENCES DE RECOURS

Mr O'Toole, on behalf of Mr Runciman, moved second reading of the following bill:

Bill 37, An Act to amend the Collection Agencies Act / Projet de loi 37, Loi modifiant la Loi sur les agences de recouvrement.

**Mr John O'Toole (Durham):** It's my privilege to rise on behalf of the Minister of Consumer and Commercial Relations, the Honourable Bob Runciman, and urge all members of the House to support the proposed amendments to the Collection Agencies Act. These amendments support the government's commitment to create jobs and make Ontario the best place to live, to work and to raise a family, as well as to invest.

We want the more than 133 collection agencies operating in Ontario and employing some 2,500 agents to compete for business on a level playing field in Canada and indeed elsewhere in North America. Removing the current 25% limit on foreign ownership in Ontario collection agencies would bring Ontario's legislation in line with the rest of Canada and within the spirit of the free trade agreement. A level playing field for the

Ontario collection agents industry will attract and create jobs. Some collection agency representatives are predicting in the near term the creation of some 250 jobs.

As agencies expand to compete for new business across the province and indeed across the country, I can state that Ontario-based collection agencies are restricted from this market with a 25% ownership of non-residents. This impediment or red tape to investment in Ontario by foreign firms will, we all know, cost and restrict investment. It's a loss of jobs, a loss of growth and a loss of opportunity.

Ontario is indeed open for business today, and this is just one more sign that this government is interested in job creation as a top priority.

As more and more Ontarians get off the unemployment rolls and begin to receive a regular paycheque, we all see the benefits. Ontario is the only province that restricts foreign ownership of collection agencies. Indeed, it is a move towards harmonization with other provinces.

I want to make it absolutely clear that these amendments would not change the way consumers are protected by the act. That's very important to recognize.

There would be no change in the requirements that collection agencies operate in the province and have operational bases within the province of Ontario; there would be no change in the requirement that collection agencies maintain files for the ministry's inspection, which enables the province to ensure provisions of the act are being respected; and there would be no change in the limitation and prohibition placed on collection agencies and their collectors.

Let me repeat that growth opportunities offered by adoption of these amendments of the current act would indeed help all of Ontario. Ontario collection agencies would be in a more competitive position, as Ontario's legislation would level the playing field, as I've said before, with other provinces.

This debate has taken place in previous times, and for the record I want to refer to the Hansard of June 6, 1974, when Mr Renwick of the NDP said, "We agree with the bill" at that time. Also, in that same Hansard debate, Mr J.R. Breithaupt, a Liberal at the time for Kitchener, said basically, "With the matter going to the committee, perhaps this minister could advise me ... that the bill has been resolved by requiring that all collection agencies be owned by Canadian residents." I agree; it's a good idea that collection agencies be owned by Canadian residents as well.

I think it's important and I'm interested in the response from the other members in the House tonight. With that, thank you for the time, Mr Speaker.

**The Acting Speaker (Mr Tony Martin):** Questions and comments? Further debate?

**Mr James J. Bradley (St Catharines):** This is one of those bills that at first glance looks very attractive, because the proponents of it, who have lobbied the government, quite obviously, and lobbied others, have portrayed it as one which will provide a lot of jobs, and I must say, in a parochial sense, in the Niagara Peninsula

around Fort Erie. That's always quite attractive. I want to tell you they're not the \$30-an-hour jobs that one might expect to see in certain kinds of employment that one would really look forward to, but nevertheless they are job opportunities. That is one of the considerations, and should be one of the considerations, when a bill of this kind is brought forward.

But I wish that instead of dealing with this bill, of course, we were dealing with the problem of the ophthalmologists in the Niagara Peninsula. I know you would be too, and I raised that in the House earlier today. But we're not dealing with that at this time.

I see some members of the Family Coalition here today. I wish we were dealing with the situation of Boxing Day. As you know, Boxing Day this year is on Sunday, yet the stores, instead of having the Sunday shopping hours, which are much more restrictive, will have the regular hours, apparently, to be open. People in my riding are understandably concerned about that. I'm opposed, by the way, I should tell you, to shopping on Boxing Day anyway. I was opposed to that. I was opposed to Sunday shopping. But those things now do happen, and that's the world as it is. But we're not dealing with that. I just wanted to make sure—

#### *Interjection.*

**Mr Bradley:** Thank you very much. The chief government whip has also said wouldn't this be an opportune time—and I know my whip would give his consent—to give second and third reading to my gasoline pricing bill, which I've asked consent for on three days in a row in this Legislature. It's a very simple bill. It does not allow the oil giants, the oil barons, to sell gasoline at a wholesale price lower to their own dealers than they would the independents; therefore, the bill would keep independents in business. It's right within the jurisdiction of the province of Ontario, a good bill, and I suspect in their heart of hearts the majority of government members might consider it to be progressive. But we're not dealing with that bill.

**Hon Chris Stockwell (Minister of Labour):** What about the ophthalmologists?

**Mr Bradley:** I've mentioned the ophthalmologists. I had a chance to get that on the record today; I'm pleased.

**Hon Mr Stockwell:** What about the CAT scan?

**Mr Bradley:** I eventually got the CAT scan in St Catharines.

**Hon Mr Stockwell:** Who gave it to you?

**Mr Bradley:** It was the NDP in that particular—no. The CAT scan was years ago, years and years ago. Mr Archie Katzman was the person who led the campaign at that time for money for the CAT scan. You're thinking of the MRI that I pressed for and embarrassed the government into giving consent to. As we would all know, however, all of the capital costs to purchase the MRI were paid for by donations from people from our community, not a penny from the government of Ontario. I am pleased with the consent, naturally.

But I want to say this about this bill: Apparently the Collection Association of Canada, a very reputable

organization of collection agencies in Canada, are very much opposed to Bill 37. They were never consulted in advance of the legislation. I should have had the question, "Have you consulted?" but I didn't. They were not consulted ahead of the legislation. They're worried about "the sneaky way it was dropped in the Legislature at the last minute." Obviously, the existing Canadian firms are concerned about US competition as a result of the bill, but they have some good public policy issues they want to bring forward as well. I know the minister's representative today would want to be aware of those.

GE Capital is behind the drive to allow US firms to operate in Ontario. However, the Collection Association of Canada cautions that there's nothing in the bill that would ensure that new US owners keep jobs in Canada. Now, they'll promise that initially. I hope the government will make sure that those jobs stay in Canada.

The collection business involves a lot of administrative paperwork, keeping various types of credit records and personal information. It is argued that GE Capital will move this side of its business to its larger operations in the United States, eliminating these jobs in Ontario. There's nothing in the legislation ensuring that personal information and credit files, such as parking fines, credit history, child support and student loans, will stay in Canada. It would be normal for a US firm to put this Ontario info into its main US database, where this type of information is routinely sold or made publicly accessible in a manner that is not allowed in Canada. That's a concern that we would have, that American rules would apply to this and not rules that we would normally follow in Canada.

Credit-related information is not subject to the same privacy requirements in the US. I think most of us would know that. Once the information is in a non-Canadian database, what controls will we have over how this personal information is accessed? With the government contracting out more collection functions to the private sector, such as the Family Responsibility Office and student loans, privacy issues have become more important in the collection industry.

Lastly, the US collection people are considered by our Canadian collection people to be—I can't use the word in here; I see they've used terminology that may be too strong for me. They are not enamoured with their record; let's put it that way. Their more discreet and formal Canadian competitors feel that they don't operate the same way we do. The Canadian ownership provisions were put into the legislation to keep disreputable US repo business practices out of Canada.

#### **1830**

Now, there are always two sides to this, and I think this bill should have the opportunity to proceed to committee. This again is going to be an advantage of having a committee where we can have some hearings. The people who say the bill was rushed in will have a chance to comment. The people who are the proponents will have a chance to comment. Members of the committee will pass judgment, pass along their considerations to this House, and we can make a final judgment.



I am intrigued by the fact, encouraged by the fact that there would be a number of jobs move into Ontario and particularly the Niagara Peninsula. But I don't think we should sell our soul for a promise of some jobs unless all the other conditions are met; if they are, that's quite all right.

I leave my comments there. I look forward to the hearings which will take place on this particular piece of legislation, and I'm sure we will debate it appropriately a little later on.

**The Acting Speaker:** Comments or questions? Seeing no comments or questions, further debate?

**Mr Peter Kormos (Niagara Centre):** This has been an interesting couple of weeks here, the last couple of weeks. I think we're just about ready—we're going to be sitting tomorrow. Depending on how things go tomorrow, we may well be back after Boxing Day. Boxing Day is Sunday, but I trust that Monday will be considered—but that's fine, even if Monday isn't considered some sort of statutory holiday, I'm ready to be here to deal with matters and engage in debate, to the extent that this government permits it. One of the problems is that there isn't a whole lot of debate that goes on, because there aren't a whole lot of opportunities. The government uses closure—time allocation—on almost every piece of legislation that it introduces. It pulls a stunt like its closure motion—

*Interjection.*

**Mr Kormos:** Well, one of the interesting things that governments do is they say, "Ah, but it was done by governments A, B, C and D that preceded us." I know the feeling. What that's like is when you get pulled over for speeding—Mr Bradley might understand this—on the QEW and your sole defence is, "But there were three guys ahead of me who were speeding too and you never caught them." It's not a defence for speeding to say that the other guys were speeding too.

Time allocation, closure motions like the one we just witnessed are wrong. I've never supported one in the 11 years I've been here, because I believe that they're fundamentally anti-democratic.

**Mr Bill Murdoch (Bruce-Grey):** Were they wrong when you did it too?

**Mr Kormos:** I've never supported a time allocation or a closure motion. I've objected to every single one that has ever been presented in this Legislature, regardless of the stripe of the government.

It has been an interesting week as well because of course we've been deluged with millennium books. Rosario Marchese, our member, raised this issue, gosh, it was at least two weeks ago now, in the Legislature, this government dropping 2.5 million bucks—at the end of the day, three million bucks when you include the shipping—on a slick Harris propaganda piece to kids and youngsters in elementary and high schools.

**Mr Rosario Marchese (Trinity-Spadina):** Don't forget the deluxe copies.

**Mr Kormos:** Oh, and now they plan another 10,000 copies, the deluxe edition, to the tune of 30 bucks a

pop—\$300,000, plus shipping, while our kids are going without textbooks and they don't have access to computers. Students brought hundreds of millennium books to my office from Thorold high school on their own initiative. They weren't prompted by any teachers. I delivered them here to Queen's Park the other day. Part of the student council—I'll tell you who the students were. There was Jay Patel, the prime minister of Thorold high student council; Allen Spink, a student rep; Shari Stafford, the student rep for grade 12. They came to my office with all of the copies of the millennium book that Thorold High had received, saying the students had agreed "to mark these 'Return to sender.' We'd rather have textbooks, we'd rather have teachers, we'd rather have libraries with books in them. We'd rather have access to our libraries."

These young students—and these are bright young people, people with incredible potential—have had their libraries shut down half-time. Can you believe this? They can only access their school library a half a day each day of the week, and that's where these young people have access to computers. I don't think that's right; I think that's wrong. These students are saying to this government: "Rather than blowing three million bucks on that piece of fluffy propaganda about Mike Harris and the Tories, please reopen our libraries. Please give us textbooks."

Jay Patel, Allen Spink and Shari Stafford, I'm confident, spoke for the student body at Thorold High. They're a good bunch of young people. I see them on a regular basis and get into their classrooms on a regular basis; bright young people.

Similarly, before that, the students from the E.L. Crossley, I already told you about E.L. Crossley in Pelham. Four of their representatives—there was James Sandham, the grade 11 rep; Ambeer Ebert, the social convenor; Carmi Sgambelluri, the music rep; and Ars Mazmanian, the treasurer. Again, their student council had said, "Send these books back, 'Return to sender'" and I brought them here to Queen's Park.

Centennial high school in Welland—and once again these students, just like the students at the other high schools, on their own initiative were able to analyze this piece of—

**Mr Marchese:** This thing.

**Mr Kormos:**—this thing and say, "This is wacko that the government is spending millions of dollars producing this fluff, this propaganda garbage, when we're going without textbooks and other important learning resources in our school."

Centennial high school students Tracy Maurice, Mat Marischuk, Allison Butler and Jackie Cornwall, as representatives of their student community at Centennial high school in Welland, they too brought these books to my office to be returned to sender: "Give them back to Mr Harris. We'd rather have books. We'd rather have learning resources in our schools." Their message to this government is, "Don't cut education and then expect us to be pleased about a piece of fluff like the millennium

book," which by the way—please, folks, look at it—has so little relevance to secondary school students. It would be enough if they laughed at it, but they're outright angry about it.

Similarly, after those three student bodies, other high schools in our community approached us in the constituency office saying, "Expect more of the same, because we don't want these things either."

I was proud of those young people from those high schools, exceptionally proud of them, and I know their families are and their peers are for having the skill and the wherewithal to understand propaganda when they see it and to understand what the priorities ought to be in this province.

**Mr Bradley:** Is the Premier's picture in it?

**Mr Kormos:** The Premier's picture is in it, and a relatively unknown cabinet minister has her picture in it. I understand what happened. Her policy people, her little high-priced advisers, said, "Oh, look, Minister, we've got an idea," and she embraced it. I mean, this ministry does so little any more that here was a project that she could get her teeth into, if you want to put it that way, and she ran with it. If this was run by caucus, surely there would have been two or three folks at least, if not more, in that caucus—I can see one of them smiling right now—who would have said: "Are you crazy? Are you nuts? Do you realize the kind of heat we're going to take if this thing gets distributed to students?"

Unfortunately, decisions like this don't get run by caucus, because I'm confident in that Conservative caucus there are members who are politically astute enough who would have said: "Oh, give me a break. I've got students who want access to libraries in their schools. I've got students who are deathly concerned about moving beyond grade 12 and their OACs and to college or university, and you're going to try to placate them with this?" Unfortunately, those backbenchers didn't have a chance to issue that warning, that caveat to the government.

I would give this bit of free advice. It's probably worth just about as much as you're paying for it, and that is that this government maybe from time to time should listen to some of its backbenchers once in a while. I say that with some experience and some great sincerity.

The bill that's been put forward today by the parliamentary assistant for the Minister of Consumer and Commercial Relations is brief in itself. It abolishes the limit on foreign ownership of collection agencies. I took a look at the history of that provision, and it dates back to 1974. Prior to 1974, there hadn't been any restriction on foreign ownership of collection agencies.

1840

The minister of the day, one John Clement, who I know, and I've known him all my life; I've known him since I was a very young person, John Clement—

**Mr Marchese:** Same lineage; same genes.

**Mr Kormos:** John Clement was the Minister of Consumer and Commercial—I read the Hansard. You folks should take a look at the Hansard when the amendment

was made to the Collection Agencies Act which provided for the maximum 25% ownership by foreign interests. Mr Clement of course is retired from this Legislature, but nonetheless, I'm advised, has kin sitting in this chamber, succeeding him not in his riding but by virtue of family lineage. I've talked to a number of people about the bill put forward by the government. I haven't called John Clement yet. I'm looking forward to his response, and I quite frankly will take a great deal of guidance from it.

The member for the riding that encompasses Fort Erie, Erie-Lincoln, indicated that he had been working with the government for some time now, attempting to get this bill put forward. He hadn't talked to me about it, and that's fine. The Minister of Consumer and Commercial Relations, Bob Runciman, talked to me about it a few weeks ago, told me it was something that was in the works, and I want to thank the minister for that. He's always been candid with me and has always spoken directly to me when there are matters about which he thinks I should have some concern.

I'm disappointed that the member for Erie-Lincoln—because what we've got here is a small collection agency in Fort Erie. It's a call centre. That's the type of business that's expanding rapidly in Niagara region as well as in other parts of the province and country, even. It's a call centre. I'm advised—and I would only base this on what I'm told by Bob Weese from GE Canada, who is one of the people who has lobbied, to be honest, and I have no quarrel with that, no criticism of that whatsoever. As I say, Bob Runciman told me that the matter was coming forward and asked me to please reflect on it.

What's going on is that GE Canada, in collaboration with a partner that represents, insofar as I understand it, American interests, wants to acquire this collection agency down in Fort Erie which employs now, I am told, some 50 people. Again, I might not have the figures dead on, because as I say, the member for Erie-Lincoln hasn't exactly been forthcoming with respect to data around this. One would think he would be more vigorous in his advocacy for one of the communities in his riding.

**Mr Bradley:** Are those guaranteed jobs?

**Mr Kormos:** Well, the jobs are there now. Let me be very candid with you. The prospect of requiring an element or a majority of Canadian ownership is appealing. One of the arguments that's been made is that we don't have a brain drain in this country; we have a profit drain. It isn't a problem of brain drain. It's a problem of increasing foreign ownership, and in this case American ownership, of any number of operations that suck the profits out of this country or province. I have had, I suppose for the biggest chunk of my life, concerns about the Americanization of our businesses, of our economy. I have concerns about the profit drain.

I also have, and I share with Mr Bradley, concern about the fact that an American interest buys this small collection agency and then, when all is said and done, simply ships its operations lock, stock and barrel to Arkansas or wherever the case might be. Mind you, in the past that used to happen more frequently, when



Canada, and Ontario especially, had real laws about employment standards and minimum wage—you know, those sorts of things—when they had pension rights for workers. You used to see foreign companies shipping their operations to jurisdictions that don't have those rights for workers. But since the Harris election, we've seen such an incredible erosion of employment standards, of minimum wage and of other workers' rights that there's less and less rationale for companies to move their operations out of the jurisdiction. We have become the Arkansas of Canada.

**Mr Bradley:** Alabama.

**Mr Kormos:** Jim Bradley says Alabama. I say Arkansas. It's six of one, half a dozen of the other. Trust me, Arkansas has nothing to be especially proud of when it comes to employment standards or rights for workers.

I also have to tell you that the participation of GE Canada causes me a little bit of hesitation. No disrespect for Bob Weese, the VP who's been lobbying me; he's been very polite, very informative. Understand that General Electric—they don't make very many TV sets any more. They don't spend a whole lot of time making cathode ray tubes. GE has become one of the biggest financial fixtures in the world. Take a look at William Greider's book, *Who Will Tell the People*, and read the book by Murray Dobbin, *The Myth of the Good Corporate Citizen*—the myth—and read about GE in the United States. You've got a company that has more power than many nations and that does not exactly have a track record of goodwill or public interest. But be that as it may—and I've talked to you about George Soros's analysis of corporate structures based on his book, *The Crisis of Global Capitalism*.

GE tells me that this project in Fort Erie is going to result in a permanent installation in Fort Erie and an expansion of its operation to employ some additional 250 people. My interest in this legislation that would permit this transaction to take place is very much dependent upon that promise. Now, do I trust GE? Do I trust General Electric? No. Their track record is such that they're not to be trusted. We have to rely on them from time to time, but please, trust is something that is difficult to develop when you're dealing with, effectively, a multinational corporation whose primary goal is profits.

I agree with Mr Bradley that it would be oh so nice to have some guarantees, to have some conditions, to have some requirements imposed upon GE before this bill passes and have them included in the bill so that GE will keep its promises. I am not going to interfere, by any stretch of the imagination, and I'll do anything to encourage—because we have high levels of unemployment in Niagara, radically high levels of unemployment that remain high notwithstanding this government's position vis-à-vis so-called new jobs. We really do. We have incredibly high levels of unemployment. There's been a major deindustrialization in the last three, four or five years which flowed, of course, from the free trade days of Mulroney but has continued in Niagara. Heavy industry has been leaving over the course of the last three and

four years—major shutdowns of huge industries. I'm looking forward to committee hearings.

**1850**

The other problem, of course, is the whole deregulation of Hydro and electricity, where we're going to see higher and higher electricity rates with the privatization of that service. What is going on with these local hydro commissions that want to sell off local hydro commission assets to make a quick buck, totally—

**Mr Marchese:** Because they're in debt.

**Mr Kormos:** They're not in debt—totally disregarding the welfare and the best interests of hydro consumers in communities like Welland and Thorold and Pelham and St Catharines, communities across the Niagara region. What has gotten into them?

But let's go back to GE and this bill. It's important that we have committee hearings. I want to hear from those folks who have concerns about the elimination of the restriction on foreign ownership. I would dearly love to hear from John Clement, and might I suggest to you that he be specifically invited to these committee hearings to explain the rationale of the day in 1974. I want to hear firm commitments from GE Canada that these jobs are not only going to be created but that they're going to stay in Fort Erie, in Niagara region.

I've got to wrap up, government House leader, very shortly because I told you that I unfortunately was only going to speak to this for 20 minutes.

I also want to have some discussion—you see, call centres now are a growing industry. I acknowledge that. They're not a high-wage industry. They're the second-biggest employer in the city of Welland after Atlas Steels.

**Mr Bradley:** What do they pay per hour?

**Mr Kormos:** They don't pay as much as they should, and the workers at call centres work hard, they really do, and they're very dedicated people. But not one of the 600 or so employees at the biggest call centre in Welland is covered by workers' compensation, you see, because call centres, as financial institutions, are exempt from workers' comp. The banks, of course, are calling the shots, because it's the banks, those thieving scoundrels via TD, Bank of Montreal, CIBC, Bank of Nova Scotia, the ones that gouge you and rip you off every step of the way—please, put your money in credit unions where you have some ownership. Go to the credit union. Empty your Toronto-Dominion Bank account today. Put it in the credit union—Atlas and Civic Employees, Peoples, Niagara Credit Union—where you're not going to be ripped off the way the banks rip you off on a daily basis. Billions of dollars in profits, yet the banks lay off more and more people. And who do you think they're making the billions of dollars in profits from? You, my friends, every one of you, a 20-cent and 50-cent and dollar charge at a time, and more often \$2 and \$3 charges.

Let's have committee hearings, to the Minister of Consumer and Commercial Relations, and let's include some discussion about making sure that the workers in call centres in this province are covered by workers'

compensation. I look forward to those hearings. I'm going to be participating in them and I trust that we'll hear some very interesting input.

**The Deputy Speaker (Mr Bert Johnson):** Comments and questions?

**Mr O'Toole:** I appreciate the comments from the members for St Catharines and Niagara Centre. It's important to note that I believe the intention is to refer it to the general government committee so that the public will be consulted. I think there's no definitive answer except to make Ontario competitive. We are the last province with this restriction, and I think it's important to address this and some other—but by the same token, there's language in this particular amendment to the bill that would make sure that the consumer is protected, and there's no change for the requirement of collection agencies operating in the province to have an operational base here in the province. There will be no change for the requirement of collection agencies to maintain files in the ministry for inspection, and there will be no change in the limitation and prohibition placed on collection agencies and their collectors.

I believe it's important to look at this as a jobs creation bill. If we don't take advantage of this change it's lost jobs, lost growth and lost opportunity. I would urge all members to support the bill.

**Mr Bradley:** I think the observations of the member for Niagara Centre were particularly astute as they relate to banks, which are cutting back their hours. The government House leader would know this, for instance: If you try to access a real person at a bank after 4 o'clock, good luck in Toronto. In St Catharines, at the Grantham Plaza bank they have cut back the hours. It used to be 9 to 5 on Saturday at the Royal Bank. It used to be 8 o'clock in the morning to 8 o'clock in the evening. Now they've crunched those way down. They're cutting services, firing people out the door.

*Interjection.*

**Mr Bradley:** The member mentions a banking machine. I like to deal with real human beings, as many of my constituents like to do. So I simply wanted to add that and say that the member's observations were astute, that the credit unions deserve a lot of support and that even if you try to go to—what would you call it?—a trust company now, the big banks have bought all the trust companies. His observations are quite astute. I know the Premier will be taking on the banks because he takes on all the tough people. I know as well that the same members who want to support this bill will be supporting my gas prices bill for second and third reading this evening.

**Hon Tim Hudak (Minister of Northern Development and Mines):** I'm pleased to rise to make some comments. I just want to make sure it's perfectly clear that this is about jobs in the riding of Erie-Lincoln. It's about jobs in Fort Erie. It's about new investment coming in to a company in Fort Erie with currently between 50 and 100 employees, to raise it up to at least 250, 300 or more employees.

I know some people across the floor have disdain for this type of work. They feel the people who work in this industry are less deserving or shouldn't be thought of highly in this place to put this legislation through. I get the same kinds of comments about the racetrack. These are hundreds of people who live and work in my riding, who earn their paycheques that pay for the bread on the table, who pay their rent or their mortgage in these jobs. I think they should have the respect they deserve for these jobs. They go in there and work hard at these positions and try to climb that ladder.

Secondly, they're raising this old spectre of the Americans coming in and buying the company and they're going to send it overseas. The members opposite knows full well that this bill maintains that protection, that the call centre must have a headquarters in Ontario to have access to those markets. So raising these types of false arguments, I think, is beneath the dignity of this House. I think we should put the issue to where it belongs, that this is about jobs in Fort Erie.

My understanding was that we had had support from all the parties to move this legislation through by Christmastime so this company can invest and we can get some more people hired in my riding, hundreds more who could call home and say they got the job and they can start paying the bills. The opposition now has asked for this to be delayed, to be stalled. I'm not sure of the reasons behind that, who's making phone calls and shaking what kind of trees, but the story has changed. I guess it's going to committee hearings, so I want to give my full support to this bill and to the new jobs that are coming to Fort Erie and the riding of Erie-Lincoln.

**The Deputy Speaker:** The member for Niagara Centre has two minutes to respond.

**Mr Kormos:** It is all about jobs, and that's the whole point. Let's not let American interests come in and buy out Canadian operations, using the leverage of jobs, unless we've got sufficiently firm commitments from them about those jobs, more than just, "I promise." Please, "I promise" doesn't work when it comes from big, multinational corporations. I've heard too many promises. I, for one, am not about to, willy-nilly, engage in the selloff of Canada and Ontario to American and other international interests. Like I told you before, get it clear. We don't have a problem with the brain drain. We've got a problem with the profit drain. We need jobs.

We also need investment within the country, within the province, that is going to ensure that the huge profit potential here—and I anticipate that it is—and those profits are going to stay in Canada, in Ontario, to in fact impact on our local economy.

**1900**

I say to the member, I wish you had talked to me rather than waiting for the Minister of Consumer and Commercial Relations back when you began lobbying on this issue several months ago. I tell you now that you had better be concerned as well about being co-opted by the promise of jobs when that promise is—I was going to say it's not worth the paper it's written on, but I'm not aware of it even being written on any paper.



Let's be very cautious about these things. Let's understand why the Conservative government, through its minister John Clement in 1974, introduced this restriction on foreign ownership. I'm not averse to debating it and discussing it, and I'm sympathetic. Please, don't shut the door on my sympathy.

**The Deputy Speaker:** Mr Sterling has moved second reading of Bill 37. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

**Mr O'Toole:** It's the wish of the minister and the government to send it to the general government committee to gather public input.

**The Deputy Speaker:** Shall the bill be referred to the—

**Hon Mr Sterling:** It is.

**The Deputy Speaker:** Agreed.

**Hon Mr Sterling:** Notwithstanding standing orders 63 and 69(a), I seek unanimous consent to call second and third reading of Bill 48, An Act to authorize the payment of certain amounts for the public service for the fiscal year ending March 31, 2000.

**The Deputy Speaker:** Is it agreed? It is agreed.

## SUPPLY ACT, 1999

### LOI DE CRÉDITS DE 1999

Mr Sterling, on behalf of Mr Eves, moved second reading of the following bill:

Bill 48, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 2000 / *Projet de loi 48, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 2000.*

**The Deputy Speaker (Mr Bert Johnson):** Is it the pleasure of the House that the motion carry? Carried.

Mr Sterling, on behalf of Mr Eves, moved third reading of the following bill:

Bill 48, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 2000 / *Projet de loi 48, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 2000.*

**The Deputy Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

## APPOINTMENT OF ONTARIO OMBUDSMAN

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I move that an humble address be presented to the Lieutenant Governor in Council as follows:

"To the Lieutenant Governor in Council:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now

assembled, request the appointment of Clare Lewis as the Ombudsman for the province of Ontario as provided in section 3 of the Ombudsman Act, to hold office under the terms and conditions of the said act, and that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker."

**Mr Brad Clark (Stoney Creek):** I am pleased to rise in the House today in support of the selection of Mr Clare Lewis for the position of the Ombudsman for the province of Ontario. The standing committee on the Legislative Assembly, with members from Glengarry-Prescott-Russell, Trinity-Spadina, Barrie-Simcoe-Bradford, Kitchener Centre, Haldimand-Norfolk-Brant, and our Chair, the member for Peterborough, unanimously agreed to recommend Mr Lewis for this job, and we were very pleased to do so.

Mr Lewis has had a number of very successful careers: crown attorney, defence lawyer, and judge. Mr Lewis also has a distinguished public service record and has been appointed throughout his career, by all three parties, to various posts in Ontario, including heading up a task force on police relations, to Ontario Police Complaints Commissioner, and chair of the Ontario Alcohol and Gaming Commission.

As a member of the Legislative Assembly committee, I am confident of Mr Lewis's qualifications and ability to truly fulfill the role of Ombudsman very admirably. A number of people have spoken very highly of Mr Lewis over the years, and we believe he is certainly up to the challenge he faces as the Ombudsman for the province. I'm sure he will be tested in the office of Ombudsman, but everyone knows that he is truly up to the job.

The position of Ombudsman is one of distinction and is important to the people of Ontario. Many times it's referred to as the court of last resort, where people go when they really need help, when the system fails them. It really becomes their last resort to have someone intervene on their behalf and hopefully come up with a solution for the constituent.

I'm sure Mr Lewis will serve the province very well for the duration of his five-year term, and we're very pleased to present him to the House.

**The Deputy Speaker (Mr Bert Johnson):** Comments and questions. Further debate?

**Mr James J. Bradley (St Catharines):** I want to say, first of all, that I approve, without any hesitation, the appointment of Clare Lewis as Ombudsman of Ontario. This is exactly the kind of appointment that should be made, and I believe that all members of the Legislature deserve credit for this kind of appointment.

Mr Lewis has a long and distinguished career. He is a person who is acceptable to those of us who sit in the two opposition parties, as well as the governing party. He will bring a good deal of experience to this position, and I must also commend the process which chose him, a process which involved all members of all parties agreeing to Mr Lewis, in contrast with the other appointment which was made.

Members know that we've already gone through a long and cantankerous debate over the Environmental Commissioner, and there's a major contrast between the two. I'm here to give the government credit on this occasion for having its members support Mr Lewis as the Ombudsman.

The Ombudsman's job, like that of the Environmental Commissioner, like that of the former Speaker of the House—a Speaker of the House is partisan in some cases but is, again, an officer of the House—like that of the Information and Privacy Commissioner and like that of the Provincial Auditor, all of these are officers of the House, the Integrity Commissioner included. In every case but one, the one we dealt with just previously today, we've had a consensus.

I compliment the government on the appointments which have been made to those various positions and I compliment the opposition on participating in that process and in agreeing with the choices that were made. That is as it should be in the Legislature. It shouldn't be one person's stubbornness that allows us to get into a cantankerous debate over a position.

There are important words associated with the position of Ombudsman or the position of Environmental Commissioner or Information and Privacy Commissioner or Integrity Commissioner or any other officer of this House, the auditor included. The important words are "independence" and "objectivity."

Not only in all of the other people I can think of in that position today do we have actual independence, impartiality and objectivity, but we also have the appearance of those three attributes. It is unfortunate that this process has been marred by the appointment of an Environmental Commissioner who does not meet that specific criterion.

We know that governments make appointments to various agencies, boards and commissions. Ordinarily, in the majority of cases, the government appoints someone who is favourable to the government. If they are appointing someone to the St Lawrence Parks Commission, to a police commission, to TVO, for instance, the Ontario television network which is dealing with educational television, although the opposition and some of the public may disagree with the specific person chosen, nevertheless, in each of those cases, those individuals are there to implement government policy, to carry forward government policy, and that is a far different position. Those kinds of positions are far different from the position of Integrity Commissioner or Ombudsman or Environmental Commissioner.

1910

I hope the lesson has not been lost on the House, by the opposition expressing such great concern about the appointment of the Environmental Commissioner. Again, that particular individual may well be appointed to another position, and while it would be noted, as opposition parties always do—I don't want to pretend that it wouldn't be—that the individual had been a provincial Conservative candidate in 1995, a federal Conservative candidate in Nipissing in 1997 and president of the

Nipissing federal Progressive Conservative association up to almost a few days ago, nevertheless if the government were appointing him to an agency, board or commission which would carry out the policies of the government, it would be understandable that the government would want someone who was in sync with the philosophy, a competent person and a person who was not going to be bucking the government at every point in time.

The Ombudsman must be independent. The Ombudsman must, from time to time, call whatever government is in power to task when the government is not carrying out its responsibilities as the Ombudsman sees those responsibilities as they relate to individuals who have complaints about government. It was a Conservative government that established the position of Ombudsman in this province, to that Conservative government's credit. The people who have served in that position have been good people. They've been a thorn in the side of all governments from time to time. Nevertheless, they have been good people.

Unfortunately, this whole process is tarnished when the government appoints, using its majority on a committee, an individual with very strong ties to the government, in this case the Environmental Commissioner, a person who is to sit in judgment of the government, to be a watchdog. I hope we see the difference.

When I asked the Premier the question the other day, I was not trying to be bombastic; I was not trying to be political on that occasion, in a partisan sense. I was simply trying to point out the difference between a position which is as an officer of the House, such as Ombudsman or Environmental Commissioner, and a position such as the tax review board, the various agencies, boards and commissions under the auspices of the Ministry of Consumer and Commercial Relations or the Attorney General, who's in the House today—with the exception, of course, of people who are appointed to the bench. I think it's important that we carry forward with the policy established in 1989 and carried on by other governments, and I think carried on in other jurisdictions, though not all, of appointing to the bench people who are recommended by a group of individuals, a committee, which has integrity, which has principle, which has in mind the best people for the job.

We support those appointments when they come forward. I used to tell my American friends that the difference between Canadians and Americans was—at one time this was true; members will appreciate how people got to be judges many years ago—that they elect their judges and we defeat judges. Defeated candidates would end up on the bench. So the first shall be last and the last shall be first. I'm talking about the experience in this province previous to Ian Scott being the Attorney General, and I'm talking about other jurisdictions.

*Interjection.*

**Mr Bradley:** The member can read into those jurisdictions whatever he wishes. The evidence is there,



let us say, for all to see. I think it's important that we have that independence.

We've had a good day with this particular appointment—this is a high point for the Legislature, with the appointment of the Ombudsman—and we have had a dreadful day in the forcing upon this Legislature of an appointee who is a close friend of the Premier, and that should not necessarily preclude people from various positions. He's a close friend of the Premier, a contributor to the Premier's election campaign, a candidate who a couple of weeks ago was auctioning off an item at a Tory fundraiser and who has very close connections to the Conservative Party.

To be put in a position where that person is to be an objective, independent, impartial watchdog of the government simply stretches credibility. But I want to be positive about this one, and I want to draw that contrast as I get into my last minute, as the House leader walks by and notes that I am in the last minute of my address. I think it's important that members of the opposition commend the government when we think the government has done what is right, and in this case I think the government is right in agreeing with the opposition that Clare Lewis is an outstanding choice for the position of Ombudsman.

Despite the rancour of this place, and all of us participate in the rancour from time to time as we become exercised, as we should in a democracy, I do want to take the opportunity to extend to all members of the Legislature my very best wishes for a merry Christmas and a happy new year. I know we all wish each other the very best of health and happiness. We never, with honesty, wish one another well in election campaigns, but we do wish one another well in our lives and in our service to the people.

**The Deputy Speaker:** Further debate.

**Mr Rosario Marchese (Trinity-Spadina):** I want right off the bat to express my best wishes to not the members of the other side but to the good people who watch this program, because it takes a great deal of courage to watch us from time to time.

*Interjections.*

**Mr Marchese:** It does. I've got to tell you I was afraid I was going to have to be here even tomorrow night. We'll be here tomorrow, but I was worried about the evening and getting dangerously close to having to celebrate New Year's Eve here with them. I've got to tell you it was a horror to imagine.

I extend my best wishes to the public that has the wherewithal to find the time and the courage to listen to us, because some of us are better than others, this is true. People do that. They have that control and they say, "Who's that speaker?" and he or she is gone and then somebody else appears and they listen to some of us, right? Some of us are lucky.

**Hon Chris Stockwell (Minister of Labour):** What are you talking about?

**Mr Marchese:** I'm getting to the bill.

**Mr Kormos:** Seinfeld is on now.

**Mr Marchese:** I don't know who's on tonight, but I hope they're watching, because this will be the last opportunity to watch some of us in this House.

I've got to tell you that the member for Stoney Creek said something that was very interesting. He said it was unanimously agreed. He said that, didn't he? Isn't there a stark difference between unanimously agreed and when you get to the other committee, involving the Environmental Commissioner, where it was not unanimously agreed? It was unanimously agreed by the Tories, who cooked it up among themselves to appoint their friend, but we disagreed. I also have to tell you that the members of that committee had somebody else in mind. I know. If they had chosen another member, who was third on their list, I would have been very unhappy, and they would not have had my support.

It was quite evident as we were going through the proceedings that we all had friends we wanted to support. I did, the Liberals did and the Tories did. I know that. But in the end, they were very wise and they chose, as we did, a candidate who was beyond reproach, with impeccable credentials, and it's to their credit that they did that. Why can they not apply the same logic, common sense and wisdom and do the same thing for the Environmental Commissioner?

**Hon Mr Stockwell:** We did.

**Mr Marchese:** You did not, Mr Stockwell, Minister of Labour. You did not. That's the point I just made. The point I just made, to repeat it, because often you've got to repeat things here a couple of times, was that there was unanimous agreement on the ombudsperson, who happens to be a man in this case; there was no unanimous agreement for the Environmental Commissioner. That should tell the members opposite—I know it's difficult at times to grasp abstract issues, but this isn't so hard. The other one is unanimous; on this one, only the Tories agreed. That's the point we make. The point we make is that this person is beyond reproach and your selected appointment for the Environmental Commissioner is not. He is well within the reach of reproach in many areas, I say to the member of Stoney Creep—Creek. That was a slip.

1920

**Mr Clark:** What did you say? Did you call me a creep?

**Mr Marchese:** I said "Stoney Creep." I didn't mean it. It was a slip.

I'll whisper it to them: This candidate for the Environmental Commissioner is very much within the scope of reproach for a variety of reasons that a number of our friends here on this side and the other side have commented on, and that's the difference. You should be distancing yourself from criticism and reproach. You should, as you did with the Ombudsman.

*Interjection.*

**Mr Marchese:** You did. Mr Stockwell, you did well with Eleanor. With the other one you didn't. It's obvious. I remember, Minister of Labour—do you remember when you guys were here?

*Interjection.*

**Mr Marchese:** You do. I remember you very well. You were a fine figure on this side. You were palpable to me on the other side. But I remember, as a member of the government agencies committee, where every time there was an appointment they had a sense, they sniffed out like bloodhounds every possible New Democrat. It didn't have to be a New Democrat. It just had to smell like a potential social democrat.

*Interjections.*

**Mr Marchese:** Yes, because there is. It's the language, right? Anything having to do with equity smells like a social democrat, right? Anything having to do with employment equity, "Oh, smells like a social democrat." Any anti-racist, "Oh, my God, that's got to be a social democrat," right? Anything having to do with equity on economic issues, social issues, "Good God, that's got to be a social democrat." So the first question would be, "Are you affiliated, by any chance, to any political party?" they would often say, like sniff dogs, bloodhounds, German shepherds, each and every time. And each time we had one, the media would come trooping along to support them, because they needed support. They were faithful to them and they came and wrote the stories.

Now we have a story to tell and, mercifully, from time to time we get their attention from the editorial boards, and of course from the owners, those who have an ideology, who say: "This we'll cover, this we won't cover. No, we'll leave the Tories alone on this one today. They've been good to us and so on, so we won't touch this one." But, man, were we unlucky when we were in power. I don't think it's a question of lucky or unlucky, really. It's a question of ideology.

**Hon Mr Stockwell:** Brains.

**Mr Marchese:** No, ideology, because when we talk about brains, Mr Stockwell, I've got to tell you we're in short supply on the other side.

*Interjections.*

**Mr Marchese:** In short supply, I can tell you. There are a few exceptions, I must admit. I've got to say that in all fairness.

**Mr Kormos:** Name them.

**Mr Marchese:** But it wouldn't be good to name them. It would be criminal. But that's what they did in the past, and what I remember is that the Conservative members promised—do you remember, Mr Stockwell? You would say, "But this is what you said," more or less right over here. "This is what you said," he would say. "It's in your document," he would say.

**Interjection:** Back to the microphone.

**Mr Marchese:** I'll get back to it.

For the record, he would dangle the document, the Agenda for People: "This is what you said. That's not what I said. This is what you said."

**Hon Mr Stockwell:** What did you say?

**Mr Marchese:** So Mike Harris, you remember, said: "Ah, but if you elect us we're going to be different.

We're only going to appoint people on the basis of merit."

*Laughter.*

**Mr Marchese:** That's what they said—

**Mr Kormos:** That got a laugh out of the Tories.

**Mr Marchese:** —that they would make their appointments on the basis of merit.

It goes without saying that every Tory, of course—I'm waiting for your imitation, Mr Stockwell.

**Hon Mr Stockwell:** Of what?

**Mr Marchese:** Of me.

**Hon Mr Stockwell:** Oh.

**Mr Marchese:** —that every Tory is deserving—there's no doubt about that, obviously. Isn't that the case? Because every Tory is a good Tory and merits being here and being appointed. Isn't that right?

*Interjections.*

**Mr Marchese:** I wanted to prove a point. Did you hear the clapping? Unflappable supporters of their friends, but I've got to give you credit. We weren't good at it. We said as New Democrats: "No, we've got to change courses here. We have to be different. We can't simply appoint people because they're New Democrats. That would be unfair."

Mr Rae was that kind of a guy, because he comes from that kind of background. His father was a diplomat. He believed in this stuff. He believed in the civil servants and believed that people should be there on merit. That is why we opened it up.

We opened it up in such a way that anybody, regardless of their political stripe, could get some of those appointments. We did that. We appointed Tories and Liberals and some New Democrats. Some of our New Democrats were so angry, they were saying, "Look. If you're in power now, this is our opportunity to have a chance at some of those positions." They were right. They would say: "Give us a break. If you're not going to give us a break," talking to Mr Rae, "who is going to give us a break? Them?"

We're not getting a break from the Tories; 99% of the people they appoint are Tories. The media and the public have become so accustomed to it that they don't even protest. There are no demonstrations out there, there are no protestations, because they've now accepted that this is the way it is.

My view is that the Ombudsman—

*Interjections.*

**Mr Marchese:** Speaker, there's a debate here. Are you watching that debate or mine? Are you with me, Speaker? Good.

The point I make is that this position should be beyond reproach and that's why we've selected this candidate; that has my blessing and had the blessing of all the committee members. It's the way it should be with the Environmental Commissioner, where all parties agree to it. That's the way it should be. That decision was wrong. This decision was right. They can correct the problem if they want but, quite clearly, they haven't wanted to correct the problem and a wrong. For that, the Premier



needs to be reproached and his caucus needs to be reproached, because they are making a mistake.

Speaker, that's all I have to say. I just want to wish you and the public a happy holiday season.

**The Deputy Speaker:** Further debate?

Mr Sterling has moved government notice of motion number 31.

Is it the pleasure of the House that the motion carry? It is carried.

**Hon Frank Klees (Minister without Portfolio):**

Speaker, I move adjournment of the House.

**The Deputy Speaker:** Mr Klees has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. The motion is carried.

It being 7:30, this House stands adjourned until 1:30 o'clock tomorrow.

*The House adjourned at 1930.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma-Manitoulin	Brown, Michael A. (L)	Halton	Chudleigh, Ted (PC)
Barrie-Simcoe-Bradford	Tascona, Joseph N. (PC)	Hamilton East / -Est	Agostino, Dominic (L)
Beaches-East York	Lankin, Frances (ND)	Hamilton Mountain	Bountrogianni, Marie (L)
Bramalea-Gore-Malton-Springdale	Gill, Raminder (PC)	Hamilton West / -Ouest	Christopherson, David (ND)
Brampton Centre / -Centre	Spina, Joseph (PC)	Hastings-Frontenac-Lennox and Addington	Dombrowsky, Leona (L)
Brampton West-Mississauga / Brampton-Ouest-Mississauga	<b>Clement, Hon / L'hon Tony</b> (PC) Minister of the Environment, Minister of Municipal Affairs and Housing / ministre de l'Environnement, ministre des Affaires municipales et du Logement	Huron-Bruce	<b>Johns, Hon / L'hon Helen</b> (PC) Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
Brant	Levac, Dave (L)	Kenora-Rainy River	Hampton, Howard (ND) Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Broadview-Greenwood	Churley, Marilyn (ND)	Kingston and the Islands / Kingston et les îles	Gerretsen, John (L)
Bruce-Grey	Murdoch, Bill (PC)	Kitchener Centre / -Centre	Wettlaufer, Wayne (PC)
Burlington	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister of Tourism / ministre du Tourisme	Kitchener-Waterloo	<b>Witmer, Hon / L'hon Elizabeth</b> (PC) Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Cambridge	Martiniuk, Gerry (PC)	Lambton-Kent-Middlesex	Beaubien, Marcel (PC)
Carleton-Gloucester	Coburn, Brian (PC)	Lanark-Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Chatham-Kent Essex	Hoy, Pat (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Minister of Consumer and Com- mercial Relations / ministre de la Consommation et du Commerce
Davenport	Ruprecht, Tony (L)	London North Centre / London-Centre-Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Don Valley East / -Est	Caplan, David (L)	London West / -Ouest	Wood, Bob (PC)
Don Valley West / -Ouest	<b>Turnbull, Hon / L'hon David</b> (PC) Minister of Transportation / ministre des Transports	London-Fanshawe	Mazzilli, Frank (PC)
Dufferin-Peel- Wellington-Grey	Tilson, David (PC)	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Solicitor General / solliciteur général
Durham	O'Toole, John R. (PC)	Mississauga Centre / -Centre	<b>Sampson, Hon / L'hon Rob</b> (PC) Minister of Correctional Services / ministre des Services correctionnels
Eglinton-Lawrence	Colle, Mike (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Elgin-Middlesex-London	Peters, Steve (L)	Mississauga South / -Sud	<b>Marland, Hon / L'hon Margaret</b> (PC) Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Erie-Lincoln	<b>Hudak, Hon / L'hon Tim</b> (PC) Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines		
Essex	Crozier, Bruce (L)		
Etobicoke Centre / -Centre	<b>Stockwell, Hon / L'hon Chris</b> (PC) Minister of Labour / ministre du Travail		
Etobicoke North / -Nord	Hastings, John (PC)		
Etobicoke-Lakeshore	Kells, Morley (PC)		
Glengarry-Prescott-Russell	Lalonde, Jean-Marc (L)		
Guelph-Wellington	Elliott, Brenda (PC)		
Haldimand-Norfolk-Brant	Barrett, Toby (PC)		
Haliburton-Victoria-Brock	<b>Hodgson, Hon / L'hon Chris</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion		



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Mississauga West / -Ouest	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Natural Resources / ministre des Richesses naturelles	Scarborough Centre / -Centre	Mushinski, Marilyn (PC)
Nepean-Carleton	<b>Baird, Hon / L'hon John R.</b> (PC) Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones	Scarborough East / -Est	Gilchrist, Steve (PC)
Niagara Centre / -Centre	Kormos, Peter (ND)	Scarborough Southwest / -Sud-Ouest	Newman, Dan (PC)
Niagara Falls	Maves, Bart (PC)	Scarborough-Agincourt	Phillips, Gerry (L)
Nickel Belt	Martel, Shelley (ND)	Scarborough-Rouge River	Curling, Alvin (L)
Nipissing	<b>Harris, Hon / L'hon Michael D.</b> (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif	Simcoe North / -Nord	Dunlop, Garfield (PC)
Northumberland	Galt, Doug (PC)	Simcoe-Grey	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
Oak Ridges	<b>Klees, Hon / L'hon Frank</b> (PC) Minister without Portfolio / ministre sans portefeuille	St Catharines	Bradley, James J. (L)
Oakville	<b>Carr, Hon / L'hon Gary</b> (PC) Speaker / Président	St Paul's	Bryant, Michael (L)
Oshawa	Ouellette, Jerry J. (PC)	Stoney Creek	Clark, Brad (PC)
Ottawa Centre / -Centre	Patten, Richard (L)	Stormont-Dundas- Charlottenburgh	Cleary, John C. (L)
Ottawa South / -Sud	McGuinty, Dalton (L) Leader of the Opposition / chef de l'opposition	Sudbury	Bartolucci, Rick (L)
Ottawa West-Nepean / Ottawa-Ouest-Nepean	Guzzo, Garry J. (PC)	Thornhill	Molinari, Tina R. (PC)
Ottawa-Vanier	Boyer, Claudette (L)	Thunder Bay-Atikokan	McLeod, Lyn (L)
Oxford	<b>Hardeman, Hon / L'hon Ernie</b> (PC) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales	Thunder Bay- Superior North / -Nord	Gravelle, Michael (L)
Parkdale-High Park	Kennedy, Gerard (L)	Timiskaming-Cochrane	Ramsay, David (L)
Parry Sound-Muskoka	<b>Eves, Hon / L'hon Ernie L.</b> (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Timmins-James Bay / Timmins-Baie James	Bisson, Gilles (ND)
Perth-Middlesex	Johnson, Bert (PC)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	Smitherman, George (L)
Peterborough	Stewart, R. Gary (PC)	Trinity-Spadina	Marchese, Rosario (ND)
Pickering-Ajax-Uxbridge	<b>Ecker, Hon / L'hon Janet</b> (PC) Minister of Education / ministre de l'Éducation	Vaughan-King-Aurora	<b>Palladini, Hon / L'hon Al</b> (PC) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Prince Edward-Hastings	Parsons, Ernie (L)	Waterloo-Wellington	Arnott, Ted (PC)
Renfrew-Nipissing- Pembroke	Conway, Sean G. (L)	Wentworth-Burlington	Skarica, Toni (PC)
Sarnia-Lambton	Di Cocco, Caroline (L)	Whitby-Ajax	<b>Flaherty, Hon / L'hon Jim</b> (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Sault Ste Marie	Martin, Tony (ND)	Willowdale	Young, David (PC)
		Windsor West / -Ouest	Pupatello, Sandra (L)
		Windsor-St Clair	Duncan, Dwight (L)
		York Centre / -Centre	Kwinter, Monte (L)
		York North / -Nord	Munro, Julia (PC)
		York South-Weston / York-Sud-Weston	Cordiano, Joseph (L)
		York West / -Ouest	Sergio, Mario (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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First Session, 37<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**  
Première session, 37<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 23 December 1999**

**Jeudi 23 décembre 1999**

**Speaker**  
Honourable Gary Carr

**Président**  
L'honorable Gary Carr

**Clerk**  
Claude L. DesRosiers

**Greffier**  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 23 December 1999

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 23 décembre 1999

*The House met at 1330.*

*Prayers.*

## MEMBERS' STATEMENTS

### FLOOD PREVENTION

**Mr Steve Peters (Elgin-Middlesex-London):** I'd like to take this opportunity to wish all my colleagues within all the parties all the best through the holiday season, the residents of Ontario and, in particular, the residents of Elgin-Middlesex-London.

The Ministry of Natural Resources owns and operates approximately 324 dams in this province. The purpose of these dams is primarily flood control. Many of these structures, though, are in poor condition due to underfunding. When the dam falls and fails, there could be catastrophic environmental damage caused by the release of huge quantities of silt and sediment. There's also potential for loss of life and property during a flood.

An example of the consequences of allowing dams to fall into disrepair is the flood of the Saguenay region in Quebec in the summer of 1996. In that case, many government and privately owned dams failed during heavy rainfall.

The government has made some overtures to allocate part of the SuperBuild Growth Fund towards dam maintenance and repair. Unfortunately, the government is also taking money out of the Ministry of Natural Resources to fund their tax cut. The water management section will have \$1.7-million cut. The engineering budget will also be cut and reduced, \$450,000 and \$320,000 by 2000-01. This means 12 fewer engineers and staff monitoring the quality of dams across this province. This is over half the current staff of 19. We need engineers on the job to protect our property and our families.

It is ironic that the core business of the MNR is to ensure the protection of life, property and natural resources, yet the government chooses to ignore dams that are ticking time bombs.

I ask the Premier, the Treasurer and the Minister of Natural Resources to consider the importance of maintaining our province's dams. We must put proper resources into protecting ourselves from the dangers of flooding.

### WINTER IN HURONIA

**Mr Garfield Dunlop (Simcoe North):** Last week the honourable member for Sault Ste Marie made a very worthy statement and invited everyone to come to the Sault for all the great things they had to offer the winter tourist. I wish them all the best and hope that thousands of Americans from the upper Great Lakes make that trek.

However, for all of you people in the lower half of the province, you don't really have to go all the way to the Sault. The riding of Simcoe North, often called Huronia, offers you everything in winter recreation.

We had a great snowfall last week. Combined with the cold, crisp temperatures, the grooming machines started working the snowmobile trails. The Mount St Louis Moonstone ski resort, three miles from where I live, with expanded height on a major portion of the hill, was covered with downhillers and snowboarders this past weekend. The same can be said for Horseshoe Valley resort, where they have improved the skiing facilities, entertainment and accommodation this past summer.

In Huronia we have hundreds of miles of cross-country ski trails, hardwood hills near Horseshoe Valley, the trails through our county forests, provincial parks and former rail lines.

Drop into one of our many curling facilities or take in a hockey game, where you will see either boys', girls' or old-timers' hockey. The winter carnival committees are getting set up for some great millennium weekends. There are excellent restaurants, accommodation and shopping. After a day outside in the cold, clean air, why not stop for an evening at Casino Rama? If you go about 80 kilometres north of Highway 401 on Highway 400, just after the beautiful city of Barrie, you'll come across the snowbelt.

You'll love the area. We'd love to have you. Treat yourself and your family to a taste of winter in the beautiful area of Huronia.

### TRANSPORTATION ISSUES

**Mr James J. Bradley (St Catharines):** Residents of the constituency of St Catharines have some advice for the Minister of Transportation for the new year.

They are very dissatisfied with the sweetheart deal Mike Harris signed with a big out-of-province company to acquire, own and operate Highway 407. The government has given up ownership of a publicly owned highway, allowed the company to charge exorbitant tolls to

motorists and has become the enforcer for payment of tolls by holding up the renewal of licences.

They are angry with the length of time required to arrange an appointment for a driver's test and the excessive charges for each test. They are perturbed that despite the graduated licence protocol and staging, so many people are failing their driver's tests.

Motorists are dismayed by the congested roads and the vastly increased number of trucks on our highways. They are worried about their safety when government cutbacks mean less frequent plowing and sanding of highways, and when transport trucks, sometimes ill-equipped and with aggressive drivers, travel at high speeds, even in bad weather and dangerous road conditions.

They would love to see GO Transit service extended to St Catharines and even to Niagara Falls, the MTO to hire adequate staff to process forms, and more funds devoted to public transit.

The people of the constituency of St Catharines are very reasonable, and if the minister were to comply with all these requests in the new year, I can assure you they would applaud him, as I would.

#### FESTIVAL OF TREES

**Mr R. Gary Stewart (Peterborough):** Mr Speaker, let me first of all wish you, as well as all the members of this House, a very safe and happy holiday season.

I rise today to recognize the successful combination of volunteers, fundraising, holiday spirit and the residents of my riding of Peterborough.

Recently the Festival of Trees was successful in raising \$255,000 for the St Joseph's Care Foundation, Hospice Peterborough and the Peterborough Regional Health Centre.

There are many keys to the triumph of this festival. This year's theme was changed to give a new enchanted forest look. The volunteers made an excellent effort to show visitors the fun and joy of the holidays, with bright lights, seasonal music, good food and good drink. In the end, the festival's attendance surpassed 20,000 people.

The festival spanned five days and nights, which turned our memorial centre into a winter wonderland carnival setting that gave the residents of my riding of Peterborough a reason to have some holiday fun, and all for a good cause. The benefits of such efforts are felt directly by our community, and I will be pleased to see the proceeds being spent on new medical equipment and services that will support the needs of Peterborough.

I would like to thank the organizers of the Festival of Trees for showing us that it is the giving that counts. I wish them the best of luck in 2000 for their 10th anniversary.

Warmest wishes to all members of this House, and especially to their families, who are anxious to see them.

1340

#### NATIONAL UNITY

**Mr Dwight Duncan (Windsor-St Clair):** As we begin what could be the last day of sitting in this Legislature in the 20th century, it gives all of us an opportunity to reflect on the great moments and debates that have taken place in this House. As we wrap it up, we think about the role Ontario has played in Confederation throughout the 20th century, a century we began by saying it would be Canada's century.

We in the official opposition support the Prime Minister's clarity bill and are disappointed that the Premier of Ontario wouldn't take a stronger position in favour of the clarity bill and supporting the federal government. They want to talk about trade deals with Ohio and Michigan and have John Engler up here, instead of backing the federal government and standing up to Lucien Bouchard and the separatists in Quebec.

Ontario, through all three parties, has played a leading role in this country and a leading role in Confederation, and to see this government drop the ball on that important file, to see this government put our trading relationship with Ohio ahead of the history of this great country, is indeed an absolute shame as we close out the last day of the 20th century in this Legislature.

As we contemplate the future, we urge the government and we urge the Premier to do the right thing and support the Prime Minister on the clarity bill, to stand up to the separatists in Quebec and say that the 21st century will be Canada's as well.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Ms Marilyn Churley (Broadview-Greenwood):** I feel greatly diminished as a parliamentarian in Ontario today and I submit that all members of this House should, because just a little bit later the Tory majority is going to end up voting for Gordon Miller as the new Environmental Commissioner of this province.

I want to read to the members for one last time something that Douglas Ruck, the Ombudsman of Nova Scotia, said:

"In years gone by—and I'll speak primarily of Nova Scotia—a former member of the House, or friend of a political individual, would receive a call and would be asked ... would you be interested in serving as Ombudsman? That does not mean that the selection was poor. It does not mean the person did not possess the particular attributes required to do the job. But it does mean that the perception was there that this person was beholden to the government of the day. And that becomes a weakness for the office."

That applies to the Ontario Environmental Commissioner. I'm very saddened that the government members have chosen not to see that.



I know that people are mad at me because primarily I'm the reason we're here today, for deferring the vote from yesterday. I was shocked that nobody from the Tory caucus, not one person, would stand up in support of my position.

### VICTIMS OF VIOLENCE

**Ms Marilyn Mushinski (Scarborough Centre):** I want to take this opportunity to speak about an issue of great importance to me personally. There's a large woodlot in front of the Scarborough Civic Centre. In the late 1980s this lot was jeopardized by development. As the Scarborough councillor for the area, I negotiated with the developers and successfully achieved city ownership of the woodlot.

The woodlot provides a wonderful piece of nature in an urban setting. The trees of the woodlot remind each and every Scarborough resident of the preciousness of life.

Today I wrote to Mayor Mel Lastman to ask for his assistance in dedicating the woodlot as a celebration of life. I have asked the mayor to help dedicate the woodlot in the memory of victims of violent crime. Victims of violent crime would be represented by a living, breathing memorial, a monument to lives tragically cut short.

The memorial would also serve as a reminder to all of us in this Legislature that there are horrible people in this world and we must do all we can to ensure that the citizens who put their confidence in us are protected from these animals.

I look forward to working with the mayor and my Scarborough caucus colleagues on this effort. While we may have differences from time to time, I have a great deal of respect for Mr Phillips and Mr Curling and I know I can count on their support in this effort as well.

### SPENDING REDUCTIONS

**Mr John Gerretsen (Kingston and the Islands):** Mr Speaker, let me read this:

'Twas the meeting of cabinet and all through the room  
was a festering feeling, the essence of doom.  
All the heartless Tories were there,  
their knives true and steady,  
Visions of funding carnage soon to be ready.  
They grinned and they chortled  
as they slashed and they hacked,  
Cutting services to education, environment, health care  
with whack after whack.  
And what to my wondering eyes should appear  
But Premier Mike with a wide, mischievous grin  
from ear to ear.  
He nodded and winked as he led the attack  
cutting funding to kids who can't vote and can't hear.  
He said, "Those with no vote, sight or sound really won't  
jeer."

With nary a thought to such a callous, cold act,  
he signed and scribbled the directive, "Attack, attack."  
All funding was gone as he strolled from the room,  
leaving only those affected to feel the tragic gloom.  
Then he turned to all those assembled and spoke with  
great pride:  
"There's still more to come. I'm Premier Mike  
and I'm just hitting my stride."

Premier, as we head into the new millennium, it is not too late yet to show compassion and govern on behalf of all the people of Ontario.

Merry Christmas and a happy new year to all.

### POLICE TOY DRIVE

**Mr Dan Newman (Scarborough Southwest):** Today I'd like to talk about an event which recently occurred in Scarborough and serves to underscore the spirit of the season.

I had the privilege of attending the sixth annual toy drive sponsored by the Toronto Police Auxiliary for 41, 42 and 54 divisions on Sunday, December 12. I was pleased to join Superintendent David Dicks of 41 Division, Superintendent Jim Bamford of 42 Division, and Auxiliary Superintendent Frank Fernandes and Sylvia Hudson of the police services board at this event.

The public were asked to donate unwrapped toys or cash to purchase toys. Toys were then distributed to various women's shelters within the three divisions. The Toronto District School Board and the Toronto Catholic District School Board also identified children in need at two other locations.

Many groups and individuals were heavily involved in the actual distribution of toys: people like Al Powell of the Blue Knights; the TTC, which donated buses to make the actual deliveries; Canadian Tire, which supplied a tractor trailer; and the Salvation Army, which supplied much-appreciated coffee and hot chocolate to the volunteers.

Toys have been distributed to nearly 1,000 children who otherwise may have had a less than merry Christmas.

Those individuals, organizations and companies that were involved in this great effort deserve our admiration and appreciation, and on behalf of my constituents in Scarborough Southwest, I would like to thank them for their outstanding efforts.

I'd like to also take this opportunity to wish all of my constituents in Scarborough Southwest and all members of the Legislative Assembly a very happy holiday season and best wishes for the new year.

**The Speaker (Hon Gary Carr):** The member for St Catharines on a point of order.

**Hon Chris Stockwell (Minister of Labour):** No, we're not doing it today.

**Mr James J. Bradley (St Catharines):** You don't know what I'm going to ask yet. The Speaker is very understanding.

I would like to ask the House, in its benevolence this afternoon, if it will give permission, unanimous consent, to proceed with second and third reading of my gas prices bill.

**The Speaker:** Is there unanimous consent? I'm afraid I heard a no.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Ms Frances Lankin (Beaches-East York):** I beg leave to present the first report, 1999, from the standing committee on regulations and private bills.

**The Speaker (Hon Gary Carr):** Does the member wish to make a brief statement?

**Ms Lankin:** No.

**Mr Peter Kormos (Niagara Centre):** On a point of order, Mr Speaker: I wonder if the Speaker might determine whether or not we have a quorum. This is most disturbing.

**The Speaker:** Would the Clerk check for a quorum. There is a quorum.

1350

### VISITORS

**Mr John O'Toole (Durham):** On a point of order, Speaker: It is my privilege to recognize in the visitors' gallery today young Josh Ouellette, the son of MPP Jerry Ouellette.

**The Speaker (Hon Gary Carr):** I want to thank the member. He will know that it's not a point of order, and it would not be a point of order if I were to recognize my daughter, who is also in the members' gallery. Dad will be in trouble for centring his daughter out, I'm sure.

### MOTIONS

#### REFERRAL OF BILL 33

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I guess for the first time in this House, on the last day in this century, I am putting forward a motion under standing order 72 to refer a bill out to committee after first reading. That's what this motion is about.

I move that, pursuant to standing order 72, the order for second reading of Bill 33, An Act to require fair dealing between parties to franchise agreements, to ensure that franchisees have the right to associate and to impose disclosure obligations on franchisors, be discharged and the bill be referred to the standing committee on regulations and private bills.

**The Speaker (Hon Gary Carr):** Is it the pleasure of the House that the motion carry?

**Mr David Christopherson (Hamilton West):** Can I speak to it, Speaker?

**The Speaker:** The member for Hamilton West.

**Mr Christopherson:** Just very briefly, two quick things: One is that it is historic to the extent that this is a new clause in the rules of this House. The intent, taken at its face value and believed as such, was that the minister wanted to try other methods of engaging the public in the process of bill-passing. Since we're seeing so very little of that—

**Mr Gilles Bisson (Timmins-James Bay):** Virtually none.

**Mr Christopherson:**—virtually none, I am reminded by my colleague—we're pleased that if you can't find your way to using the old clauses, maybe we can get you used to using the new clauses. Whatever it takes that brings a little bit of the public into this process is definitely a positive step, given how many times you have stopped the process of committees and the public being involved.

I also point out that my colleague from Sault Ste Marie, Tony Martin, has been very active in this whole issue. Indeed, he had a private member's bill. He has been, to his credit, working with the minister responsible. This is going out to committee in large part because of Tony Martin's efforts in making this an issue and ensuring that during the intersession the public gets a chance to work on this very important bill.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

### COMMITTEE SITTINGS

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** I seek unanimous consent to move a motion without notice relating to the standing committees.

**The Speaker (Hon Gary Carr):** Is there agreement? Agreed.

**Hon Mr Sterling:** I move that the following committees be authorized to meet during the winter recess, in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the assembly, to consider the following:

The standing committee on general government, for up to three days, to consider Bill 37, An Act to amend the Collection Agencies Act; and

The standing committee on justice and social policy, for up to four days, to consider Bill 31, An Act, in memory of Christopher Stephenson, to establish and maintain a registry of sex offenders to protect children and communities; and

The standing committee on finance and economic affairs to consider matters relating to pre-budget consultations; and

The standing committee on public accounts to consider the reports of the Provincial Auditor; and



The standing committee on regulations and private bills, for up to four days, to consider Bill 33, An Act to require fair dealing between parties to franchise agreements, to ensure that franchisees have the right to associate and to impose disclosure obligations on franchisors.

**The Speaker:** Mr Sterling has moved—dispense? Dispensed.

Is it the pleasure of the House that the motion carry? Carried.

## DEFERRED VOTES

### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**The Speaker (Hon Gary Carr):** On December 21, Mr Sterling moved that a humble address be presented to the Lieutenant Governor in Council as follows:

“To the Lieutenant Governor in Council:

“We, Her Majesty’s most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Gord Miller as Environmental Commissioner for the province of Ontario as provided in section 49 of the Environmental Bill of Rights, to hold office under the terms and conditions of the said act, and that the address be engrossed and presented to the Honourable the Lieutenant Governor in Council by the Speaker.”

Call in the members; this will be a five-minute bell.

*The division bells rang from 1356 to 1401.*

**The Speaker:** All those in favour of Mr Sterling’s motion please rise one at a time to be recognized by the Clerk.

#### Ayes

Arnott, Ted	Hastings, John
Baird, John R.	Hodgson, Chris
Barrett, Toby	Hudak, Tim
Beaubien, Marcel	Jackson, Cameron
Chudleigh, Ted	Johns, Helen
Clark, Brad	Johnson, Bert
Clement, Tony	Kells, Morley
Coburn, Brian	Klees, Frank
DeFaria, Carl	Mazzilli, Frank
Dunlop, Garfield	Molinari, Tina R.
Ecker, Janet	Munro, Julia
Elliott, Brenda	Mushinski, Marilyn
Flaherty, Jim	Newman, Dan
Galt, Doug	O’Toole, John
Gill, Raminder	Ouellette, Jerry J.
Hardeman, Ernie	Runciman, Robert W.

Sampson, Rob
Skarica, Toni
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Stockwell, Chris
Tasca, Joseph N.
Tilson, David
Turnbull, David
Wettlaufer, Wayne
Wilson, Jim
Witmer, Elizabeth
Wood, Bob
Young, David

#### Nays

Agostino, Dominic	Gerretsen, John	Marchese, Rosario
Bradley, James J.	Kennedy, Gerard	Peters, Steve
Caplan, David	Kormos, Peter	Phillips, Gerry
Christopherson, David	Lankin, Frances	Pupatello, Sandra
Churley, Marilyn	Levac, David	Sergio, Mario
Duncan, Dwight		

**The Speaker:** Those opposed to the motion will please rise one at a time to be recognized by the Clerk.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 47; the nays are 16.

**The Speaker:** I declare the motion carried.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** On a point of order, Mr Speaker: Because I know that all members are eager to return home to their constituencies and to their families for Christmas, and because of the spirit of the season—this has put me, and I’m sure the opposition, in a generous mood—I’m asking for unanimous consent to adjourn the House at this point in time.

**The Speaker:** Is there unanimous consent? I’m afraid I heard some noes.

## ORAL QUESTIONS

### CHILDREN’S HEALTH SERVICES

**Mrs Sandra Pupatello (Windsor West):** My question is for the Minister of Health. Recently you’ve made a number of announcements and, once again, we’re very anxious to see how much action actually follows your announcement. We asked you last year yet about pediatric oncologists for the children’s hospital in London. Now I’m going to ask you again about pediatric neurosurgeons and pediatric endocrinologists. I’d like to know, in all the flurry of announcements that you’ve made recently, which announcement specifically assists the children’s hospital for southwestern Ontario, affiliated with the London Health Sciences Centre? Which of your announcements will assist in their severe shortage of specialists for children?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** As the member knows, we have been extremely responsive to the needs of the hospitals throughout the province of Ontario. In fact, Mr MacKinnon this morning indicated his pleasure. As a result of the dialogue we’ve had with the Ontario Hospital Association and also with the hospitals in the province, we’ve made available today an additional \$196 million, which increases hospital funding this year by \$600 million. I have a news release here from Credit Valley Hospital, who indicate that they are ecstatic and that this addresses the needs of the community.

**Mrs Pupatello:** Minister, I realize this is the Christmas season. I asked you very specifically about the children’s hospital in London. This is a hospital that serves southwestern region children from Windsor through to Owen Sound. They treat emergency cases. In particular, the pediatric neurosurgeon there deals with 400 cases of children who need follow-up and immediate care for neurosurgical issues. I’d like to know, in all your announcements, specifically what are you doing about the shortage of pediatric neurosurgeons for the children’s hospital in London?

**Hon Mrs Witmer:** As the member opposite full well knows, we have worked very co-operatively with the

children's hospital. In fact, when there have been other indications of needs to respond to children's issues, we have responded. They have indicated their extreme pleasure. When we were looking for the pediatric oncologist, certainly we were able to work co-operatively and ensure that the individuals could be provided. POGO, the network that looks after children's services, works with us on those issues as well.

As the member also knows, Dr McKendry has just issued his report. He has indicated that there are additional issues that need to be addressed. Yesterday we set up an expert panel which will enable us to more accurately identify in the future the actual needs of people in Ontario and ensure that we are educating the number of physicians who are going to be required to respond to the specific specialties, including the individuals the member opposite has indicated are needed.

**Mrs Papatello:** Let me quote exactly what Dr Frewen from the children's hospital has to say, because you need to quote the people who are actually involved, not those who are doing additional reports for you and, frankly, wasting time when you have solutions already at your table. What we know now is that children who seek non-urgent pediatric neurology consultations may wait up to 11 months. Minister, for the entire southwest region we currently have one pediatric neurosurgeon at that hospital. They asked you. Last March, on March 23, you specifically made an announcement there, but what Dr Frewen says is that the news "must be followed up with necessary resources to hire additional professionals." The last time you made announcements regarding oncologists for children, for kids with cancer, it took months and months of continuous grinding to finally get something out of your ministry.

We in the southwest region are not prepared to wait months and months again for pediatric neurosurgeons or endocrinologists. These are children from all of the southwest who are serviced at this hospital. We don't want your announcements, Minister; we want to see the action, and we need to know exactly how much time before your ministry will give them the resources they require.

**Hon Mrs Witmer:** Our government has actually made tremendous progress in moving forward in increasing the number of specialists in Ontario. Since 1995 we have increased the number of specialists in this province by 450. Of course in yesterday's announcement I indicated that we were putting in place additional initiatives to encourage specialists back from the United States. We were increasing access for foreign physicians to practise in this province. We were giving increased opportunities for family physicians to gain training in specialties. I'm also pleased to say that we have invested \$8.1 million in children's cancer and transplant services, and we will continue to ensure that the needs of not only children but all people in this province are addressed. That's why we made our announcement today of an additional \$196 million for hospitals throughout the province of Ontario.

1410

## DOCTOR SHORTAGE

**Mrs Sandra Papatello (Windsor West):** My question is again for the Minister of Health. Frankly, you make lots of announcements. Unfortunately, you and your office do not follow through in actually doing what it is that you announce. In this case, you had yet another report thrown on you lap in the form of the McKendry report, and the McKendry report itemized for us what we have been telling you for more than a term. We've told you that the issue of doctors in Ontario is not just a distribution issue but it's also a supply issue. Your own ministry's report, under Dr McKendry, is confirming what we have said all along. You have a supply problem.

Minister, could you please stand today and explain, when your own report indicates that we have a shortage of up to 1,000 doctors, how is adding 12 spaces that may or may not be designated for foreign-trained doctors going to address the issue of a shortage of over 1,000? Is this, in fact, going to be as bad as how many people get cancer care on time, where you are hoping for 35%?

**Hon Elizabeth Witmer (Minister of Health and Long-Term Care):** I'm very pleased to say that our government did undertake to look at this very complex issue of supply and distribution of physicians in Ontario.

This is an issue that all of my colleagues throughout Canada are dealing with. Unfortunately, as the population continues to grow and as the population continues to age, there is an increased need for family physicians and specialists in certain areas.

However, we are the very first province to undertake a review such as the one that was undertaken by Dr McKendry. He has been able to take a look at the entire scope of the problem, the entire cause of the problem. He has brought all of the data together. As a result of the information that he has given us yesterday, we are not only responding immediately but we are also establishing an expert panel under the leadership of Dr Peter George from McMaster, and we are developing, which has never happened in this province before, long-term strategies to make sure that physician supply responds to the—

**The Speaker (Hon Gary Carr):** I'm sorry, the minister's time is up. Supplementary.

**Mr John Gerretsen (Kingston and the Islands):** Minister, you just don't get it. Dr McKendry talks about a shortage of 1,000 doctors in this province. You made a big announcement yesterday that dealt with 12 doctors—12. We need 1,000. That is 988 doctors short. You talk about communicating with the colleges. You talk about setting up expert panels. What you need to do is sit down with all the other people who are involved in the health care system in the province and do something about it.

You are in charge of the health care of the people of this province and you have let them down. When are you going to do something for the people of Ontario, especially all those individuals in North Frontenac, in Havelock, in Lansdowne, who are today doing without a



family physician? They don't need expert panels; they need you to do something about it immediately with those concerned.

**Hon Mrs Witmer:** It's obvious that the opposition doesn't like the headlines in the paper this week indicating that we've improved access to emergency rooms, that we have provided \$225 million for emergency rooms, another \$90 million and another \$97 million, that we have provided \$30 million plus an additional \$60 million yesterday for 56 emergency rooms; that yesterday we made an additional \$11 million available to improve access to family doctors and specialists throughout Ontario, and today we've announced almost another \$200 million. It's obvious they don't like the good headlines, that they don't like the fact that the health professionals are happy with the improved access and strengthening of the health system, but I can tell you that the letters we're getting indicate to us that people believe, as Dr McKendry said yesterday, "This province and this government are on the right track."

**Mr Steve Peters (Elgin-Middlesex-London):** My question is also for the Minister of Health. According to the ministry's own figures, the riding of Elgin-Middlesex-London is experiencing a terrible shortage of doctors. St Thomas is short 11 doctors; Aylmer is short four; Newbury is short three. Bayham township has one doctor for 5,000 people. While the McKendry report identified this as a problem with supply, you continue to act as though it's a distribution problem. In my riding there are at least two foreign-trained physicians, Ahmed Farah and Asha Abdi, who are on welfare. They can't get international medical training.

Your announcement yesterday introduced just 12 new spots to train foreign doctors. I can use all 12 of those doctors in my own riding alone. Why have you not increased the number of spaces in Ontario medical schools? Why have you not re-regulated medical school tuition? Why have you cancelled medical school tuition fees for residents?

Minister, will you take real action and solve the doctors' problem? Will you acknowledge that the problem is of supply and not of distribution? Will you increase the number of medical school spaces by over 15%?

**Hon Mrs Witmer:** It's obvious that the opposition has rather selective hearing. We have said that the issue of physicians is an issue of supply, distribution and also mix. The initiative that we undertook was to make sure that Dr McKendry could bring all the data together and that we could accurately determine the number of specialists who are needed, the number of family physicians who are needed, where they're needed.

Yesterday we did two things: We took some very immediate steps and we have increased opportunities for doctors to return to Canada from the United States. We've increased the number of foreign-trained doctors; we have increased opportunities for doctors to train in the north; and we have also set up the panel which will report on long-term strategies, work that has never been done in this province by any other government.

## AFFORDABLE HOUSING

**Mr Rosario Marchese (Trinity-Spadina):** I've got a couple of questions for mon ami M. Tony Clement, the Minister of Housing. Many people acknowledge, in Ontario at least, that we have a serious crisis of affordable rental housing in this province. The massive numbers of homeless are there, as everyone knows, with perhaps you as the only exception, in part because of a shortage of affordable rental housing. Your government gutted rent control and stopped the building of non-profit housing in the hope that the private sector would build the affordable housing.

Minister, your ministry released a business plan earlier this week which sets out some specific goals for private rental housing construction this year. Could you tell us what the official goal is?

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** The official goal is to get as far away as we can from the failed policies of the previous 10 to 15 years at the quickest possible rate. That's the official goal. We want to get away from paying \$300 million in consultants' fees over a 10-year period. We want to get away from \$550 million paid to architects over a 10-year period. We want to get away from \$50 million being paid to lawyers over a 10-year period. We want to get away from that. We have some work to do.

I am pleased to report to this House once again that the social housing agreement, which we negotiated with the federal government, frees up funds for up to 10,000 hard-working Ontario families for rental supplements. It frees up money for \$30 million for capital construction to make sure that our social housing units are in the best possible shape.

Those are our plans, and we have more to do. We have tried to take some taxes off building supplies for builders who want to build. The federal government has to do its part too, but I think together we can make a meaningful approach to this issue.

1420

**Mr Marchese:** I'm pleased to report to this House that the minister hasn't read the business plan. But in the spirit of the holiday season, I'm going to help him out a little bit because I had a chance to review the plan. Your goal is to have 65 more rental units in communities with a low vacancy rate. That's your goal: 65 units.

*Interjections.*

**Mr Marchese:** I know it's a lot, but he gets to pat himself on the back if they build 65 units, which is a good thing.

The Golden task force said that we need to build anywhere from 7,500 to 9,500 new rental units and they're needed each year in the GTA alone. His goal, at least the plan which his ministry obviously has signed along to, says they can build up to 65 units. Those numbers are pathetic. Do you really think that an extra 65 units is a healthy rental market, Minister?

**Hon Mr Clement:** The honourable member well knows that we did make a very definitive break from the past. We said we wanted to get out of the bricks and mortar building business because governments, quite frankly, don't do a good job of deciding where and when and how to build affordable housing. We've seen the record of that 10-year period, that boondoggle period where they purported to help people but in fact the result was fewer resources going to those in need. The architects got paid, the lawyers got paid, everyone got paid, all the resources were going except to where they were needed—for people who needed the help. So we have said we're out of that business.

It means we are in the business of reconstructing a market economy for the rental housing industry to ensure that the incentives are there for those who genuinely need it. That means \$2,000 per unit, fewer taxes from the provincial government. It means the federal government can do its part by reducing the GST.

Here's where Rosie, the honourable member for Trinity-Spadina, and I can work together. Let's you and I go to Parliament Hill and lobby our MPs to make sure that the GST is off rental housing construction. You and I can do it together.

**Mr Marchese:** I didn't know we were that close. But again, in the spirit of the holiday season, I take that as a kind remark.

But I've got to tell you, you've got to read the business plan, Minister; you have to. I'm referring to the plan, and you're referring to who knows what.

The feds announced a few bucks the other day, a lot of bucks, but there's nothing in there for the construction of housing. You folks have said, "We're not in the market." The private sector is not building, and your plan says 65 units. You see how pathetic that is?

Besides this goal, you've got another goal that you may not be proud of. It says that you will strive to have landlords pass 10% more in capital costs on to the tenants. That's another nice Christmas gift. That of course means there will be higher rents, as if already the \$1,000 to \$1,200 people are paying extra a year isn't enough.

Minister, someone may have sabotaged your business plan, I don't know, but I think you should withdraw that business plan which says that 65 more units mean a healthy rental market and which sets a higher rent increase as a cherished goal in terms of passing on capital costs. Scrap it. Do us all a favour.

**Hon Mr Clement:** I'd be happy to assist the honourable member in understanding what the business plan is all about. The business plan is all about making sure the proper resources are there for those who need those resources. That's why we were so proud to allocate, for up to 10,000 hard-working Ontario families, that rental supplement, because that isn't going to lawyers, it isn't going to consultants, it isn't going to builders; it's going for those in need.

When the honourable member talks about the plan, I encourage him to look at the whole picture, look at how this government is reorienting the way it is dealing with

what is admittedly a market that needs to be reconstructed. I think the honourable member and I are on the same side in wanting to ensure that the people who genuinely need it get the help they need. That means reconstructing the market. It means making sure that the costs of construction are not overburdened by over-regulation and red tape and costs like taxes. That is part of our business plan as well.

I say this to the honourable member: If he has any other suggestions on how to make sure we have a proper housing market, where those in need get that help, we'd be happy to listen to him.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Ms Marilyn Churley (Broadview-Greenwood):** My question is for the Acting Premier. Your government has endured unprecedented criticism over what should have been the appointment of a non-partisan, politically independent guardian of the environment. Your appointment of a Tory party activist has no support in the environmental community. It does not have the full confidence of this House. It has left the public with no confidence in the independence of your new commissioner. You have weakened this most important office. You couldn't even meet the standard of political independence set for the staff of the Environmental Commissioner, let alone the commissioner itself.

Minister, will you commit today to conduct a review of the failure of your government to deliver on its promise of a truly non-partisan process, the failure of the process to scrutinize the close political connections between a candidate and the ruling party and the inability of the committee to be allowed to reach a unanimous decision?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** As the member opposite knows, Gord Miller was ranked as one of the top three candidates by the Legislative Assembly's human resources department. The Legislative Assembly ranking is based on each applicant's qualifications, independent of any partisan influences.

Gord Miller has more than 20 years of extensive experience in environmental awareness and action. He has his master's in ecology. The man is eminently qualified. He's had experience in both the academic world and in the business world. He's proved himself to be an advocate for environmental protection and has lectured extensively on many environmental issues at conferences and other places around the world.

As well, I'd like to point out to the member opposite that Mr Miller's name was not put forward by the PC caucus or party. He applied directly for this. We used the same process that was used when you were in power and chose his predecessor.

**Ms Churley:** Minister, you're wrong about that. The committee that chose the Ombudsman this time was able



to come to a unanimous decision. That's what legislative positions are all about here. You still don't get it.

One of the reasons the position of the Environmental Commissioner is so important today is because your government has weakened the public's ability to scrutinize decisions affecting the environment of Ontario when it took away intervener funding. By cancelling intervener funding, you took away the voice of citizens who are not the rich and powerful friends of your Tory government. You have weakened their voice again today with this absolutely outrageous appointment.

Will you do something right for the environment today, for once, and restore intervener funding? Will you at least do one right thing on environmental protection in this province so that the citizens are heard?

**Hon Mr Hodgson:** I know the House leader would like to talk about the Environmental Commissioner.

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** As you know, we went through a very public process which was recommended by all parties and talked about by all parties. We all talked about—

**Ms Churley:** On a point of order, Mr Speaker: What the minister says is not correct. There was not unanimous consent.

**The Speaker (Hon Gary Carr):** That is not a point of order. The member take her seat. Government House leader.

**Hon Mr Sterling:** This same process was used in 1994 to pick the first Environmental Commissioner. There was a committee of the Legislature which sat down and considered a number of applicants. I believe there were over 70 in this case and about 200 in the previous process. They were narrowed down by the human resources department of the Legislature. Mr Miller came out as one of the top candidates. His ranking was supported by some members of the opposite party. That committee came forward and made a recommendation to the Legislature. The Legislature has now confirmed the recommendation of that Legislative Assembly committee.

I think it's incumbent on everybody to work together with the new Environmental Commissioner to make it work.

**The Speaker:** Order. The minister's time is up.

**Hon Frank Klees (Minister without Portfolio):** On a point of order, Mr Speaker: I think it's important for members of this House to understand and for the public to know that the record of this House is that there were only 16 votes against this—

**The Speaker:** That's not a point of order. I thank the chief government whip.

1430

#### BERNARDO-HOMOLKA VIDEOTAPES

**Mr James J. Bradley (St Catharines):** I have a question for the Attorney General. This is the last question period, obviously, of this session. The minister would be aware of the very terrible tapes which exist,

made by Paul Bernardo and Ms Homolka, and that the families of Kristen French and Leslie Mahaffy are extremely concerned that those tapes might be shown again in some court case. They took their case to the Supreme Court of Canada to try to prevent those tapes from being shown again. They incurred hundreds of thousands of dollars of legal costs. There was a French-Mahaffy integrity fund set up to assist them.

Since they have been unable, through the court system, to reach a situation where those tapes will never be shown again, can the Attorney General report to the House on any possible way that he and his government may be able to prevent those tapes from being shown again?

**Hon Jim Flaherty (Attorney General, minister responsible for native affairs):** I thank the member for St Catharines for the question, which is a matter of concern to all of us, I'm sure, who have lived through the years since these tragedies occurred in Ontario. I'm mindful also, though, that there is at least one criminal prosecution of which I'm aware, and I'm sure the honourable member for St Catharines is also aware, which is still proceeding through the courts. I understand part of that prosecution may involve that issue of the videotapes. In those circumstances there's really no comment that I can offer to the member, other than that I'm mindful of the issue. When it is free of court proceedings and it can be addressed by government, by the Attorney General, I'd be happy to try to address it.

**Mr Bradley:** Mr Attorney General, you are correct, of course, in talking about a court case that is there now, and I don't expect you're going to make any comment about that court case. But what has raised the concern of the parents once again is that indeed there is a court case where there was at least discussion or a request that the tapes be shown again for the purposes of the defence of the individual involved in this case.

I know the last time this situation arose, the parents were understandably disappointed that the Ministry of the Attorney General of Ontario did not—and the minister explained his reason—intervene to assist them in their court case as it went up to the Supreme Court. The minister did explain that.

I guess what they're looking for, and I appreciate the minister saying this, is that you will explore, at least, any regulatory or legislative measures that might be taken which would prohibit the showing of those tapes again, and in fact would perhaps bring about the destruction of those tapes, except in extreme circumstances, which the family would be prepared to comply with.

**Hon Mr Flaherty:** The prosecution that is ongoing presently, as I understand it, has not yet proceeded to trial, so it's not a situation where the Attorney General can intervene, as it is when a matter is elsewhere in the system.

I can say this: We are, as you know, extremely conscious of victims of crime. We've established the first office for victims of crime in Ontario. We're moving ahead to empower that office and to address some of the

important programs and services that victims of crime are entitled to, and that of course includes the tragedy that occurs to families in cases like the Homolka and Bernardo cases and the families who were sadly and severely affected by those tragedies. So we're mindful of that.

As we move forward I hope all of us, working together, can do a better job to enhance the protections for victims of crime in Ontario.

### WORKFARE

**Mrs Tina R. Molinari (Thornhill):** In the spirit of the holiday season, I want to wish all of my constituents from Thornhill, all the members of the assembly and all the members here today a very merry Christmas, happy holidays and the best for the year 2000.

My question is for the member for Nepean-Carleton, my good friend the Minister of Community and Social Services. I read with interest a recent account of an Angus Reid poll that found that support for workfare in Canada is a staggering 84%. One of the most striking points of the Angus Reid poll that I noticed was that the support for workfare is spread evenly among most groups in the province. There doesn't appear to be a geographical gap, an educational gap, an age gap or a gender gap, yet there seems to be a lot of vocal protest from members across the floor and special interest groups across the province about Ontario Works.

Minister, what have you found the level of support to be for the program in your travels to Ontario Works sites across the province?

**Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs):** I'm not surprised at the findings of this recent Angus Reid poll. What I've found over the last six months as I've travelled around the province is much like what I found over the last four years, that there is a tremendous amount of support for workfare, for earnfare and for learnfare. I say to the member for Thornhill that there is a substantial amount of support among participants themselves and among caseworkers around Ontario.

I recently met an individual in Barrie who talked about her experience in community placement. She talked about how important it was for her to get some experience. This woman told me that she got a job. I asked her what was so important in her getting that job. She pulled out of her pocket a piece of paper that had been folded many times and showed me the reference letter she had got as a result of her community placement. I spoke to an individual in Niagara Falls who told me about the exciting opportunity they got. They didn't get a reference letter at the end of their placement; they got a job at the site. Our reforms are helping move people from welfare to work.

**Mrs Molinari:** Thank you, Minister. It's good to hear all of the success stories.

Another success for this: I have read a number of stories from across the province about surpluses accruing

for municipalities because of the decline of welfare caseloads. My riding of Thornhill is in York region, and I was astonished to discover that last year alone taxpayers in York region saved over \$48.3 million because of the decline in the number of people relying on welfare. York region itself saved almost \$10 million last year. This is the 20% savings that the municipalities incurred as we watched more and more people work for welfare.

Minister, are the savings being realized in York region an anomaly? Is this a simple blip, or do you see this as a long-term trend across the province?

**Hon Mr Baird:** I want to tell the member for Thornhill that it's not an isolated incident. What we're finding is that a lot of people are able to get the dignity of a job as a result of our welfare reforms and as a result of a growing economy.

*Interjections.*

**Hon Mr Baird:** I know the members opposite don't want to hear about the good news going on in the Ontario economy and about the success of our welfare reforms.

I look at the side benefits. In addition to helping people, our welfare reforms are also helping taxpayers. I look at some of the clips I see: "Durham Predicts Surplus"—

*Interjections.*

**The Speaker (Hon Gary Carr):** Order. I can't hear the answer.

**Hon Mr Baird:** They don't like good news over there, my colleague says.

"Durham Predicts Surplus: The surplus is due mainly to major reductions in welfare rolls. Lots of places to put the \$2.4-million surplus from region's social services budget."

Kitchener-Waterloo, the London Free Press: "A \$1.3-million saving in community services from lower than expected caseload."

I say to the member for Thornhill that even in my own community of Ottawa-Carleton, Bob Chiarelli is able to deliver a tax cut this year because the welfare rolls are continuing to go down.

The members opposite talked about the local services realignment—more jobs, more hope—

**The Speaker:** Order. I'm afraid the minister's time is up.

1440

### AUTOMOTIVE INDUSTRY

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Acting Premier. He will be aware that yesterday the World Trade Organization issued a report indicating that the Canada-US auto pact is in violation of trade laws, and that when the report is issued, Canada has 90 days in which to comply with it.

Nothing is more important to Ontario's economy than the auto sector, and what has driven the auto sector has been the Canada-US auto pact. My question to you is this: Recognizing the importance that the elimination of the auto pact would have on Ontario, what is the



government's estimate of the impact on the auto sector if the auto pact is eliminated, and what have you done about it?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** I know that my colleague Minister Palladini is looking forward to meeting with his federal Liberal counterpart in the new year to discuss the World Trade Organization's decision and to communicate that.

Seeing how this is the last sitting in this millennium, I think you've mentioned a smorgasbord of issues here. It gives us an opportunity to reflect on the last year, on the good news that has taken place in Ontario. The auto sector, along with all other sectors in Ontario's economy, has seen a tremendous year, in large part because of the hard work and dedication of our Premier, Mike Harris, and our caucus in implementing the policies.

Unemployment is down in this province, from 6.6% one year ago to 5.6% today, the lowest level in the country; 100,000 fewer people are on welfare, trapped in that dependency trap; and Ontario's economic growth leads all the G7 nations. It has truly been a great year for the people of Ontario.

**Mr Phillips:** I don't mean to embarrass you at all, but Ontario needs an answer. The auto pact has been what has driven Ontario's economy. As you know, there is nothing more important than the auto sector in Ontario.

The World Trade Organization has told Canada that, in their opinion, the auto pact is violating trade law. There will be 90 days in which this will be eliminated. Surely you have discussed this at cabinet. Surely the government has an estimate of what impact the elimination of the trade pact will have.

I want you to answer the question. This will be the last time we will be able to question the government until April. If the auto pact is eliminated, what is the government's estimate of the impact on our auto business, and what is the provincial government doing about it? We need a clear, unequivocal answer now.

**Hon Mr Hodgson:** Everyone in this House and everyone in the province recognizes the importance of the auto sector to our economy. Unlike the provincial Liberals, who want to focus on the doom and gloom and the hypothetical—what if the sky falls in?—this government will actually work with our federal counterparts, like I told you in the first answer, to make sure that our interests are protected, that this key driver of our economy is maintained. We will actually take positive, constructive steps to make that happen, and it will take co-operation with the federal Liberals, with our trading partners and with our stakeholders to do it. As I told you before, Minister Palladini is actively working on this and will continue to work on it in the new year.

There is a tremendous amount of good news that has taken place in the last year, as Ontario has truly seen the contrast between your policies of doom and gloom, and the weak leadership of Dalton McGuinty, and our positive growth plans for the people of Ontario, and we will continue.

This is the last session, and in the Christmas spirit, I would like to wish you season's greetings and a great millennium.

**Hon John Snobelen (Minister of Natural Resources):** On a point of order, Mr Speaker: I know that the member from St Catharines would want this House to acknowledge the government House leader, Norm Sterling, without whose diligence and skilful negotiations, none of us would have been here all this week.

**The Speaker (Hon Gary Carr):** I'm sure our families thank him as well.

**Ms Frances Lankin (Beaches-East York):** On a similar point of order, Mr Speaker, I would like unanimous consent to acknowledge the fact that the government House leader had a little bit of help from the member for Broadview-Greenwood as well.

#### ICE FISHING

**Mr Jerry J. Ouellette (Oshawa):** Just before I get into my question, I'd like to wish all the members who are here today the best of the season, a merry Christmas and the best in the new millennium, especially to our good friends in the Niagara region area, better known as the NRA.

My question is for the Minister of Natural Resources. I have many constituents who enjoy taking part in the outdoor activity of ice fishing. As you know, Minister, Ontario offers the best ice-fishing opportunities in North America. It's a sport that can be enjoyed by the whole family and allows the opportunity to both enjoy this great outdoor activity and the companionship of those in the fishing party. As of a matter of fact, in Temagami I know that ice fishing is a greater industry than some of the summer resort industries in that area.

I know the importance of this recreation activity is not lost in your ministry. Have there been any regulation changes that will come into effect this season that will affect this activity?

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** On a point of order, Mr Speaker: I don't think the Minister of Natural Resources is prepared for this, because he's really on thin ice on this issue.

**The Speaker (Hon Gary Carr):** The Minister of Natural Resources.

**Hon John Snobelen (Minister of Natural Resources):** Thank you, Mr Speaker, and not to worry: When the government House leader rises, I can still see you.

On a serious note, Mr Speaker, I want to thank the member from Oshawa for the question. There are some new fishing regulations that will take effect in a number of bodies of water beginning January 1, 2000.

There will be new restrictions of one line only for ice fishing on Crane, Blackstone, Gliskning, Lobster and Livingstone Lakes. As well, the restriction of one line only for ice fishing will be lifted from Clean, Eyre, Little Clean and MacDonald Lakes.

Just two last points: The 2000 recreational fishing regulations summary can be picked up from the local district offices, or, in an attempt at great customer service, instead of dialling a seven-digit phone number, you can get it from the Web by dialling or dotting [www.mnr.gov.on.ca/mnr/pubs/pubmenu.html](http://www.mnr.gov.on.ca/mnr/pubs/pubmenu.html)

**Mr Ouellette:** Thank you, Minister. Were those backslashes or foreslashes?

Minister, as you are aware, we've had some unseasonably warm temperatures. Ice fishing by its very nature requires ice to be of a safe thickness. As a matter of fact, just this week, in the riding of the member for Durham, we had our first vehicle go through the ice.

As well, I understand that many lakes that are most popular for this recreation have large patches of open water, such as Lake Simcoe, one of Ontario's premier fishing locations.

Could you tell this House what precautions anglers, and sledgers, for that matter, should keep in mind when heading out this season?

**Hon Mr Snobelen:** I thank the member for Oshawa for the question. As the government House leader pointed out a little earlier, I have had some experience on thin ice and I can recommend that people not answer hypothetical questions or use words that might be taken out of context.

The ministry takes the safety of fishing as a very serious matter. One of the recommendations we have is that anglers, before they go out on the ice, check with the people who operate ice huts in that local area. They're experts and they know the local conditions and can help advise them.

Along with that, our people in the district offices are more than happy to help folks who want to go out and practise ice fishing safely. Our Midhurst office number is 707-725-7500, our Aurora office is at 905-713-7400, and the people there are expert and willing to help people fish safely in Ontario.

1450

#### MUNICIPAL RESTRUCTURING

**Mr David Christopherson (Hamilton West):** My question is to the Minister of Municipal Affairs. You will recall that leading up to the final vote on Bill 25, members of all three parties from the region of Hamilton-Wentworth had been urging you to make a number of amendments. You, of course, decided not to allow any amendment. You didn't allow any public hearings. You didn't make any amendments yourself. It had to be your way or the highway.

In today's paper a spokesperson for your office, Karen Vaux, says, on your behalf, when she was asked whether or not there might be an expansion of the council, again an action that members from all three parties in the region had been urging you to take: "It's a possibility. I wouldn't rule it out at this point."

Minister, my question to you is this: First, will you confirm that indeed you are going to expand the council,

that you were wrong in making it so small in the first place, particularly as it relates to the suburban communities in the new city of Hamilton? Second, for God's sake, will you give us a deadline as to when you're going to be finally finished with the restructuring?

**Hon Frank Klees (Minister without Portfolio):** It's because he wants to run for mayor.

**Hon Tony Clement (Minister of the Environment, Minister of Municipal Affairs and Housing):** This has been a paid political announcement, I'm sure.

Thank you very much to the honourable member for the question. Indeed, it was unfortunate that we were not able to seek agreement in this House to allow the amendments that this side of the House was willing and able to proceed with. Having crossed that Rubicon, we are in a position now where we have a bill that has passed this Legislature. It is now part of the public record and part of our laws of Ontario. It will be enacted in such a way as to be on time; the things that have to be in place for the beginning of January will be in place, the things that have to be in place for the middle of the year will be in place and the things that have to be in place for January 1, 2001, will be in place.

There has been considerable commentary that we have received from both suburban and rural communities, and indeed there's been a great deal of consensus about the size of council and what is appropriate. We have taken that under advisement and certainly the honourable member's suggestions will be taken under advisement as well.

**Mr Christopherson:** First of all let me say to you that there's nothing unfortunate about the fact that there weren't committee hearings; it was downright disgraceful and it was your responsibility. It's your fault. You decided to shut down democracy. So don't talk about it being unfortunate as if it were some sort of little minor mishap. You designed the process that way to ensure that no one on this side of the House nor anyone out in the public got any say whatsoever in your vision of what we ought to have in our community.

This is not the only issue that's outstanding, though. Let me remind you that your own words are pointing to the fact that Flamborough, for instance, may or may not be part of the new city, or a part of it may or may not be.

Again, I want to know from you today, first, if Flamborough is going to be given this right, is it your intention to extend that right to the other municipalities that make up the new city of Hamilton, and second, again, what is the deadline for this, rather than all these little hints that are floating around the community as to what might or might not happen?

**Hon Mr Clement:** Indeed, it was unfortunate, despite our best efforts. We tried to get committee hearings in place but it was not possible, it was not to be, and we feel very badly about that. Fortunately, there had been a lot of committee hearings, a lot of town hall meetings, a lot of constitutional assemblies even before this process took place, and of course the special advisers had over 1,600



submissions from the public in Ontario in the affected areas.

There are still some outstanding issues. The honourable member has made mention of that. The issue of Flamborough is still an outstanding issue. The issue of rural representation has been an outstanding issue. If I can pay some credit to the member for Stoney Creek, who has raised this issue quite vociferously as well, it is an issue for which we have regard and it is an issue about which we want to be fair to both the suburban and rural communities and the city of Hamilton as well in its whole. Thanks to the intercessions of the honourable member for Stoney Creek, I think we are closer to a resolution of this than we were a few days ago. But I can tell the honourable member that these are the kinds of issues that we want to have regard to so that we are fair and reasonable in implementing what I think is the best legislation for the region.

**The Speaker (Hon Gary Carr):** New question—

**Mr Christopherson:** On a point of order, Speaker: Why didn't the minister do all these things before he rammed the bill through, if that's his intent?

**The Speaker:** That's not a point of order.

#### POLICE HELICOPTER PROGRAM

**Mr Dominic Agostino (Hamilton East):** My question is to the Acting Premier regarding the police helicopter program in Hamilton-Wentworth. For the past 20 weeks this program has been shared between the regions of Peel, Hamilton-Wentworth and Halton. It has flown two nights a week in each of the three municipalities and has been a very successful 20-week pilot project in Hamilton-Wentworth. In that time period, there were over 250 responses to calls which involved a number of activities in pursuing criminals. It was also involved in about a \$2-million seizure of marijuana plants in one of the fields. Thursday, December 16, was the last night for this program. It has now been grounded. Without provincial help, this program cannot take off again. The police helicopter cannot be flying. It has the strong support of Chief Robertson and Superintendent Mullan, who is in charge of the program and, I believe, the community as a whole. It has been a tremendously successful program. It has saved lives; it has saved money; it has helped police officers; it has helped our community. Will you today commit to restoring the funding to continue the program in Hamilton-Wentworth?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** As the member would know, or should know, this was one-time funding from the proceeds of criminal activity that are now being distributed to the police services for law enforcement and crime prevention. Money from the proceeds of crime has been used to contribute \$250,000 for the Hamilton-Wentworth-Halton-Peel helicopter project. Our government has also given Hamilton-Wentworth almost \$130,000 towards reduced impaired driving programs, \$1.2 million from our partners in community safety

grants. Through our community policing partnerships program, Hamilton-Wentworth Police Service now has 16 new front-line police officers. This government has done more to provide the police with the tools they need to do their jobs than the previous two governments combined.

**Mr Agostino:** Clearly, you don't understand how valuable this program is. A week ago this Legislature passed, rightly so, the Rick McDonald bill to deal with criminals fleeing police officers. The best tool that police officers have in the apprehension of criminals as they're trying to flee police is the helicopter. There is no tool better than that. It has a success rate in Hamilton-Wentworth that, in every single case it has been involved in, they have recovered the vehicle. There has not been one injury, there has been no damage, and in all but one case they made the arrest. So clearly it is beyond any question how successful it is.

You always talk the talk. You like to talk like the law-and-order guy, the big, tough guy on law and order. You have a real opportunity here to do something about it. The region cannot on its own afford the helicopter program. It is too expensive. They're coming to you and they need help from you, from the province. You talk the talk, that you take a great interest in policing. Now that you have an opportunity to do something, I'm astonished that you have closed the door on the Hamilton-Wentworth regional police force and said no to any future funding for the helicopter program. You don't understand how valuable it is. Here's your chance to put your money where your mouth is. Support the police force; support the police officers in Hamilton-Wentworth; support safety and a reduction in crime. Minister, stand up again today and tell us that you're going to extend—

**The Speaker (Hon Gary Carr):** Order. The member's time is up.

**Hon Mr Hodgson:** The member opposite knows full well that this government has done more for front-line law enforcement officers in this province than the previous two governments combined. He also knows, or should know, that when this program was initiated it was a pilot program. The municipalities we were talking to knew the ground rules going in, and they've benefited greatly from this pilot project. They will have to make their decision based on the results of this and prioritize their spending accordingly. This program has taken the proceeds from crime and enhanced the safety of that whole region. It's similar to projects we're doing right across this province to strengthen front-line policing to crack down on criminals.

1500

#### EMPLOYMENT STANDARDS

**Mr Doug Galt (Northumberland):** My question is directed to the Minister of Labour. Christmas is just around the corner. This year the stores and shopping malls in Ontario are absolutely filled to capacity with

people buying gifts for their friends and loved ones, and that's mainly because more people are working in Ontario. In today's *Toronto Sun*, Michael Clement reports that more than 8.2 million Canadians will spend at least \$600 million on Christmas gifts. The average being spent by Ontarians is \$1,000, almost \$200 more than the national average.

Considering this high level of consumer spending, this is putting a tremendous pressure on Santa's workshop. I'm concerned for all the busy elves who must keep up with this Christmas rush. Minister, what protection do we have in place in Ontario for these elves? Are they receiving proper overtime? Considering their small size, are these elves of age? What protections are in place for these workers in Ontario?

**Hon Chris Stockwell (Minister of Labour):** Thank you for the question. The Employment Standards Act applies to all workers and employers in Ontario. I might add it includes hours of work, minimum wage, overtime pay, vacation pay and of course public holidays. Occupational health and safety includes minimum age and requirements for all industries. There's information available at all local ministry offices, Ministry of Labour call centre, Ministry of Labour website, pamphlets, and of course fact sheets.

**Interjection:** What's your number?

**Hon Mr Stockwell:** It's not on here. The Ministry of Labour actively investigates complaints. But seriously, of course, all these acts and standards apply. It is a very busy period of time, particularly in the commercial sector, and they are included under all the primary statutes that are available in this province.

Thank you for the question. I wait with bated breath in anticipation of the supplementary.

**Mr Galt:** I also hope you have the question. Thank you very much, Minister, for your answer. I certainly hope that those elves save some energy for the millennium celebration.

Minister, despite the good news of the increase in spending on Christmas gifts this year, there still remains a great deal of concern as to how to keep businesses in rural Ontario. Recently in my riding an organized group of labour representatives demanded better paid and skilled jobs. It seems that despite the success of Ontario's economy, businesses are packing their bags for larger centres in the United States. Minister, is it possible that our labour relations in Ontario are not friendly enough to maintain or keep major industries here at home?

**Hon Mr Stockwell:** The member is way out of order with that sign she's holding up.

**Ms Marilyn Churley (Broadview-Greenwood):** Throw me out.

**Hon Mr Stockwell:** Be careful what you wish for.

The government priority is to create a better climate. The economy is booming: over 615,000 new jobs since 1995 and 177,000 so far this year; lower taxes; reduced barriers to business. My friend Mr Wood and his red tape committee, which we all support, are reducing all that kind of stuff.

Another component is the level playing field in labour relations. I know the NDP would agree with that, because for the last five years we've come a long way for a more level playing field than the—

**The Speaker (Hon Gary Carr):** Answer.

**Hon Mr Stockwell:** Answer?

Ontario enjoys a stable bargaining climate: 96% settlement rate without a lockout or strike, and only 515,000 lost person-days compared to 899,000 last year. We should all be proud of the Ministry of Labour. I know I am.

## AUTOMOTIVE INDUSTRY

**Mr Dwight Duncan (Windsor-St Clair):** I want to take this last minute of question period to go back to the Deputy Premier. In 1963 the auto pact was signed by my predecessor from Windsor-St Clair. The auto pact has done more to advance prosperity in this province than anything this government has done. It is threatened today by the World Trade Organization. It has been in force throughout most of the 20th century. Will the Deputy Premier undertake today to state to this House what the government of Ontario is going to do to ensure that the protections afforded us in the auto pact are not stripped away by the World Trade Organization?

**Hon Chris Hodgson (Chair of the Management Board of Cabinet):** We will do what we've continued to do for the last five years, and that's fight for the interests of Ontario. We will, I've mentioned, have Minister Palladini and the Premier himself talk to federal counterparts and try to get the federal Liberal government to live up to at least one responsibility that is truly federal, and that's international trade.

Given the fact that they might not stand up for Ontario's interests vitally enough, if that's your concern, I want to assure you that Premier Mike Harris and this caucus and my colleagues will fight for the interests of Ontario to make sure that we have sustained economic growth and opportunity right into the new millennium and for years to come. So merry Christmas.

## PETITIONS

### HEALTH CARE

**Mr Mario Sergio (York West):** I have a petition addressed to the Legislative Assembly of Ontario which I'd like to read.

"Whereas we are concerned about the quality of health care in Ontario; and

"Whereas we do not believe health care should be for sale; and

"Whereas the Mike Harris government is taking steps to allow profit-driven companies to provide health care services in Ontario; and

"Whereas we won't stand for profits over people;



"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not privatize our health care services."

I concur with the petitioners and will affix my signature to this.

#### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Ms Marilyn Churley (Broadview-Greenwood):** "To the Legislative Assembly of Ontario:

"Whereas the first Environmental Commissioner appointed under the NDP's Environmental Bill of Rights, Eva Ligeti, courageously documented the Harris government's attack on environmental protection in Ontario; and

"Whereas the Harris government refused to reappoint Ms Ligeti, instead choosing a close political ally of the Premier to fill the position; and

"Whereas Ontario needs the Environmental Commissioner to serve as a tenacious watchdog on the government; and

"Whereas the former Conservative riding association president in the Premier's riding accepted thousands of dollars in political donations when he ran for the Mike Harris Tories from Falconbridge Ltd, Mallette Lumber, Timmins Forest Products, Abitibi-Price, Millson Forestry Service, Columbia Forest Products, Grant Lumber, Erocon Waste Management, Timmins Logging Inc, Westland Logging and Gaetan Levesque Logging; and

"Whereas, given the candidate's strong personal ties to the Premier of Ontario, the candidate cannot be trusted to protect Ontario's environment;

"We, the undersigned, call on the Legislative Assembly of Ontario to reject the nomination of Gord Miller as Environmental Commissioner, and to choose instead a highly qualified candidate with no political ties to the current government."

I agree with this and will affix my signature.

#### MUNICIPAL RESTRUCTURING

**Mr Toni Skarica (Wentworth-Burlington):** I have a petition that I've read into the record before, so rather than do it again, I'll just paraphrase:

"To the Legislative Assembly of Ontario."

It says, "Supercity bad; promise made, promise kept, good."

The bottom line is:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario must keep its pre-election promises and accordingly not impose a supercity of Hamilton on the residents of the current region of Hamilton-Wentworth."

I affix my name to this petition as I fully support it.

#### MATERS MORTGAGES

**Mr James J. Bradley (St Catharines):** I have a petition that reads as follows:

"Whereas Maters Mortgages investors have battled for a decade to receive compensation for their losses, which were incurred as a result of overzealous action on the part of an official in the Ministry of Financial Institutions, as was proven recently in a parallel criminal case;

"Whereas Maters Mortgages investors believe that their civil action against the government of Ontario has been unduly and unnecessarily delayed in the courts by legal representatives acting for the government of Ontario;

"Whereas the new investors' committee of Maters Mortgages Inc has requested that legal representatives of the government of Ontario meet with legal representatives of Maters Mortgages investors to discuss the possibility of reaching an out-of-court settlement of the investors' civil case against the Ontario government;

"Whereas many Maters Mortgages investors are senior citizens who placed their life savings in these investments and have suffered from extreme stress and financial hardship and continue to do so;

"We, the undersigned, petition the Legislative Assembly to encourage the government of Ontario to take immediate action to appoint a case manager to expedite the case involving the class civil action of the representatives of Maters Mortgages investors against the government of Ontario.

"Further, we petition the Legislative Assembly to urge the government of Ontario to engage immediately in serious discussions with legal representatives of Maters Mortgages investors with a view to reaching a fair out-of-court settlement with the investors and urge the government to instruct its legal representatives to cease any and all activity designed to prolong the duration of the case."

I affix my signature to this petition.

1510

#### OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** I continue to receive petitions from auto workers all across Ontario, forwarded to me by Cathy Walker, their health and safety director.

"Whereas this year 130,000 Canadians will contract cancer and there are at minimum 17 funerals every day for Canadian workers who died from cancer caused by workplace exposure to cancer-causing substances (carcinogens);

"Whereas the World Health Organization estimates that 80% of all cancers have environmental causes and the International Labour Organization estimates that one million workers globally have cancer because of exposure at work to these carcinogens; and

"Whereas most cancers can be beaten if government had the political will to make industry replace toxic substances with non-toxic substances in work; and

"Whereas very few health organizations study the link between occupations and cancer, even though more study of this link is an important step to defeating this dreadful disease;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That it become a legal requirement that occupational history be recorded on a standard form when a patient presents at a physician for diagnosis or treatment of cancer and that the diagnosis and occupational history be forwarded to a central cancer registry for analysis as to the link between cancer and occupation."

I continue to support these petitioners by adding my name to theirs.

### TENANT PROTECTION

**Mr Gerard Kennedy (Parkdale-High Park):** To the Legislative Assembly of Ontario:

"Whereas the Harris government has eliminated tenant protections and removed rent control for vacant apartments;

"Whereas under these conditions landlords have an incentive to force current tenants out of their apartments;

"Whereas the use of the maximum rent provision under Mike Harris has become a form of harassment;

"Whereas rents are increasing to unaffordable levels as a result of maximum rent;

"Whereas some tenants are being forced out of their homes and having to choose between rent and food;

"We, the undersigned, call upon the Ontario government to abolish maximum rent and roll back the increases that have occurred under this provision since the new so-called "Tenant Protection Act."

I represent about 3,000 households to be hit with increases of 38%, and this Christmas will not be a very merry one as a result, so I'm very honoured to add my signature to theirs.

**Mr Mario Sergio (York West):** I have a petition delivered to my office with respect to the shortage of rental housing in Ontario. It's addressed to the Legislative Assembly of Ontario.

"Whereas the current rental housing legislation in Ontario, the Tenant Protection Act, is unfair and does not serve the interests of tenants;

"Whereas tenants are being victimized by landlords who are securing excessive rent increases and not providing adequate services;

"Whereas the Ontario Rental Housing Tribunal unfairly favours the interests of landlords;

"We, the residents of 2405 Finch Avenue West (Lori Gardens Tenants Association) petition the Legislative Assembly of Ontario as follows:

"We urge the Ontario government to replace the Tenant Protection Act with legislation that protects the rights of tenants and ensures a fair balance between them and their landlords."

This petition is very appropriate. I concur and I will affix my signature to it.

### UNIVERSITY LABOUR DISPUTE

**Mr David Christopherson (Hamilton West):** I have another petition from my hometown of Hamilton.

"To the Legislative Assembly of Ontario:

"Whereas the cuts to post-secondary education funding, as evidenced by the recent figures indicating an additional \$800-million or \$900-million cut, are making graduate study unattractive and increasingly inaccessible in Ontario; and

"Whereas the effects of these cuts seem to be correlated with increasing labour disputes on Ontario campuses such as York's faculty (1997), Trent's faculty (1998), Carleton's grounds and trades (1999), the impending strikes at the University of Toronto, and the current strike of McMaster University teaching assistants which began December 3 (this being the third strike at McMaster in 11 months); and

"Whereas the response by McMaster administration seems to be intransigence at the bargaining table, as evidenced by their delaying the commencement of negotiations for five weeks, cancelling seven of the first 13 meetings, requesting a no-board report at conciliation, forcing a ministry vote on their last tabled offer rather than continuing mediation talks, and after losing that vote refusing to return to the table until the union took two of its key issues off the table, thereby forcing teaching assistants to take strike action;

"Therefore, we, the undersigned, as executive, bargaining team and general members of CUPE Local 3906, petition the Legislative Assembly of Ontario as follows:

"Help McMaster administration see their way back to the bargaining table by reinvesting in Ontario's post-secondary education system."

I add my name to those of the strikers and petitioners.

### DOCTOR SHORTAGE

**Mr James J. Bradley (St Catharines):** I have a petition to the Legislative Assembly of Ontario.

"Whereas patients requiring eye care in Niagara are faced with a shortage of ophthalmologists and as a result, are compelled to wait several weeks to secure an appointment with an ophthalmologist;

"Whereas, while the shortage of ophthalmologists is in existence, the removal of the billing cap on these medical specialists provides a temporary but essential easing of the health care crisis;

"Whereas the solution of the Ontario Ministry of Health removing the exemptions from the billing cap and forcing patients from Niagara to travel along the very busy Queen Elizabeth Highway to receive treatment in Hamilton is unacceptable;

"Be it resolved that the Ontario Ministry of Health remove the cap on billing for ophthalmologists in Niagara until such time as Niagara is no longer an underserved area."

I affix my signature as I'm in complete agreement with this petition.



## APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Ms Frances Lankin (Beaches-East York):** "To the Legislative Assembly of Ontario:

"Whereas the first Environmental Commissioner appointed under the NDP's Environmental Bill of Rights, Eva Ligeti, courageously documented the Harris government's attack on environmental protection in Ontario; and

"Whereas the Harris government refused to reappoint Ms Ligeti, instead choosing a close political ally of the Premier to fill the position; and

"Whereas Ontario needs the Environmental Commissioner to serve as a tenacious watchdog on the government; and

"Whereas the former Conservative riding association president in the Premier's riding is not likely to be a hard-hitting critic of the government's anti-environment policies;

"We, the undersigned, call on the Legislative Assembly of Ontario to reject the nomination of Gord Miller as Environmental Commissioner, and to choose instead a highly qualified candidate with no political ties to the current government."

I am in complete agreement with this and I've affixed my signature thereto.

## SCHOOL CLOSURES

**Mr Mario Sergio (York West):** I'm delighted to introduce another petition which I have received, this perhaps the last one in this millennium. It is addressed to the Legislative Assembly of Ontario and it comes from teachers and parents in my community with respect to a number of school closings, which is quite appropriate, given the cuts of the Mike Harris government. I'd like to read it to the House.

"Whereas due to the Harris funding cuts to education, school boards are being forced to consider the closing of schools in the city of Toronto; and

"Whereas parents do not want the schools to close and fear for the chaos and crisis the Harris government is imposing on the education of their children; and

"Whereas there is apprehension and turmoil in the community that due to government rules to determine school capacity hundreds of students will have to find a new school come next September;

"Now, therefore we, the undersigned citizens of Ontario, petition the Legislature of Ontario as follows:

"We call upon the Minister of Education, who has the primary responsibility for providing a quality education for each and every student in Ontario to:

"(1) Listen to the views being expressed by teachers and parents who are concerned by the implications and disruptive effects the school closures will have on their children;

"(2) Recognize the fundamental importance of our local schools to our neighbourhood communities; and

"(3) Live up to its commitment to provide adequate funding for the important and essential components of a good education and not allow the closing of schools in our community."

This is quite appropriate. It confirms the cuts and how they are hurting our communities. I will affix my signature to it.

## OCCUPATIONAL HEALTH AND SAFETY

**Mr David Christopherson (Hamilton West):** "To the Legislative Assembly of Ontario:

"Whereas the community of Sarnia is witnessing many women developing mesothelioma and asbestosis as a result of the asbestos brought home on their husbands' work clothing; and

"Whereas similar cases are occurring in other areas of the province;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to amend the Workplace Safety and Insurance Act to allow compensation for family members who develop occupational illness as a result of workplace toxins inadvertently brought home."

As I'm in support of these petitioners, I add my name to theirs.

## MUNICIPAL RESTRUCTURING

**Mr Toni Skarica (Wentworth-Burlington):** I have the last petition of the millennium. It's to the Legislative Assembly of Ontario. Again, it's regarding the supercity being bad and a promise made, a promise kept being good, and I want it noted for the record that the day this legislation passed all the needles fell off the Christmas tree in the Legislature and it had to be removed.

Finally, I read the petition:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The government of Ontario must keep its pre-election promises and accordingly not impose a supercity of Hamilton on the residents of the current region of Hamilton-Wentworth."

I affix my name to the petition.

## VAL TAYLOR

**Mr David Christopherson (Hamilton West):** On a point of order, Mr Speaker: I know it's not often that we mention individuals in this place, because often you can leave people out or there are events that are missed. But there was an occasion today that I'm sure the members from all parties here in the House would want to acknowledge. A woman who has worked in our caucus services now for 30 years left today, took an early retirement, and will not be returning. Anyone who knows Val Taylor will know that, yes, she can be as partisan as anyone, but she's also the kind of person who, if she got a call from an Ontarian from anywhere in the province who needed help, was the first one to provide it.

I just think on this occasion, on the eve of the Christmas break, and in recognition of 30 years of service on the front line, assisting parliamentarians and assisting Ontarians, we would all want to go on record as thanking Val for her contribution to the work we do here.

Thanks, Val. You've done a great job.

**The Speaker (Hon Gary Carr):** I'm sure all members join in wishing her well in her endeavours.

#### ROYAL ASSENT

#### SANCTION ROYALE

**The Speaker (Hon Gary Carr):** I beg to inform the House that in the name of Her Majesty the Queen, Her Honour the Lieutenant Governor has been pleased to assent to certain bills in her office.

**Clerk Assistant (Ms Deborah Deller):** The following are the titles of the bills to which Her Honour has assented:

Bill 39, An Act respecting the University of Ottawa Heart Institute / Projet de loi 39, Loi concernant l'Institut de cardiologie de l'Université d'Ottawa;

Bill Pr1, An Act to revive Harbourfront Trailer Park Ltd.;

Bill Pr6, An Act respecting the Association of Registered Interior Designers of Ontario;

Bill Pr7, An Act respecting The Corporation of the Town of Pickering;

Bill Pr8, An Act to change the name of The Corporation of the Township of Burleigh-Anstruther-Chandos to The Corporation of the Township of North Kawartha;

Bill Pr13, An Act respecting Pembridge Insurance Company;

Bill Pr14, An Act respecting Blue Mountain Village Association;

Bill Pr15, An Act to change the name of The Corporation of the Township of Kincardine-Bruce-Tiverton to The Corporation of the Municipality of Kincardine.

The following is the title of a bill to which Her Honour did assent:

Bill 48, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 2000 / Projet de loi 48, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 2000.

#### LEGISLATIVE ASSEMBLY STAFF

**Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader):** Just prior to moving adjournment of the House, Mr Speaker, perhaps on behalf of all members of the Legislature I would like to thank, through you, all the staff of the Legislature: the clerks, all of the people who work here from day to day; the interpretation, security, the cleaning staff, all of the people who help us from day to day run this institution.

There's nothing regular about our hours, and we appreciate the flexibility and the efforts that the staff and the clerks have provided to us here in the Legislature.

May I, then, on behalf of the legislative members here, all 103 of us, wish you, your family and the families of all the people aforementioned the very best Christmas and the best holidays. I know the year 2000 is going to be an even better year, not only for Ontario, but for this Legislative Assembly as well.

May I move adjournment of the House?

**The Speaker (Hon Gary Carr):** Mr Sterling has moved adjournment of the House. Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until April 3 at 1:30 of the clock.

*The House adjourned at 1524.*









**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenante-gouverneure: Hon / L'hon Hilary M. Weston

Speaker / Président: Hon / L'hon Gary Carr

Clerk / Greffier: Claude L. DesRosiers

Clerk Assistant / Greffière adjointe: Deborah Deller

Clerks at the Table / Greffiers parlementaires: Todd Decker, Lisa Freedman

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Agostino, Dominic (L)	Hamilton East / -Est	chief opposition whip / whip en chef de l'opposition
Arnott, Ted (PC)	Waterloo-Wellington	Parliamentary assistant to the Minister of Economic Development and Trade / adjoint parlementaire au ministre du Développement économique et du Commerce
<b>Baird, Hon / L'hon John R. (PC)</b>	Nepean-Carleton	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre délégué aux Affaires francophones
Barrett, Toby (PC)	Haldimand-Norfolk-Brant	Parliamentary assistant to the Minister of the Environment / adjoint parlementaire au ministre de l'Environnement
Bartolucci, Rick (L)	Sudbury	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Beaubien, Marcel (PC)	Lambton-Kent-Middlesex	
Bisson, Gilles (ND)	Timmins-James Bay / Timmins-Baie James	
Bountrogianni, Marie (L)	Hamilton Mountain	
Boyer, Claudette (L)	Ottawa-Vanier	
Bradley, James J. (L)	St Catharines	
<b>Brown, Michael A. (L)</b>	Algoma-Manitoulin	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Bryant, Michael (L)	St Paul's	
Caplan, David (L)	Don Valley East / -Est	deputy opposition whip / whip adjoint de l'opposition
<b>Carr, Hon / L'hon Gary (PC)</b>	Oakville	Speaker / Président
Christopherson, David (ND)	Hamilton West / -Ouest	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Chudleigh, Ted (PC)	Halton	Parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire au ministre des Richesses naturelles
Churley, Marilyn (ND)	Broadview-Greenwood	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Clark, Brad (PC)	Stoney Creek	assistant deputy government whip / whip adjoint suppléant du gouvernement
Cicary, John C. (L)	Stormont-Dundas- Charlottenburgh	
<b>Clement, Hon / L'hon Tony (PC)</b>	Brampton West-Mississauga / Brampton-Ouest-Mississauga	Minister of the Environment, Minister of Municipal Affairs and Housing / ministre de l'Environnement, ministre des Affaires municipales et du Logement
Coburn, Brian (PC)	Carleton-Gloucester	Parliamentary assistant to the Minister of Municipal Affairs and Housing / adjoint parlementaire au ministre des Affaires municipales et du Logement
Colle, Mike (L)	Eglinton-Lawrence	
Conway, Sean G. (L)	Renfrew-Nipissing-Pembroke	
Cordiano, Joseph (L)	York South-Weston / York-Sud-Weston	
Crozier, Bruce (L)	Essex	
<b>Cunningham, Hon / L'hon Dianne (PC)</b>	London North Centre / London-Centre-Nord	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Curling, Alvin (L)	Scarborough-Rouge River	
DeFaria, Carl (PC)	Mississauga East / -Est	
Di Cocco, Caroline (L)	Sarnia-Lambton	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Dombrowsky, Leona (L)	Hastings-Frontenac-Lennox and Addington	
Duncan, Dwight (L)	Windsor-St Clair	opposition House leader / chef parlementaire de l'opposition
Dunlop, Garfield (PC)	Simcoe North / -Nord	assistant deputy government whip / whip adjoint suppléant du gouvernement
<b>Ecker, Hon / L'hon Janet</b> (PC)	Pickering-Ajax-Uxbridge	Minister of Education / ministre de l'Éducation
Elliott, Brenda (PC)	Guelph-Wellington	Parliamentary assistant to the Minister of Citizenship, Culture and Recreation and minister responsible for seniors and women / adjointe parlementaire à la ministre des Affaires civiques, de la Culture et des Loisirs et ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
<b>Eves, Hon / L'hon Ernie L.</b> (PC)	Parry Sound-Muskoka	Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances
<b>Flaherty, Hon / L'hon Jim</b> (PC)	Whitby-Ajax	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
Galt, Doug (PC)	Northumberland	Parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Gerretsen, John (L)	Kingston and the Islands / Kingston et les îles	
Gilchrist, Steve (PC)	Scarborough East / -Est	
Gill, Raminder (PC)	Bramalea-Gore- Malton-Springdale	Parliamentary assistant to the Minister of Labour / adjoint parlementaire au ministre du Travail
Gravelle, Michael (L)	Thunder Bay-Superior North / -Nord	
Guzzo, Garry J. (PC)	Ottawa West-Nepean / Ottawa-Ouest-Nepean	
Hampton, Howard (ND)	Kenora-Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
<b>Hardeman, Hon / L'hon Ernie</b> (PC)	Oxford	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Harris, Hon / L'hon Michael D.</b> (PC)	Nipissing	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John (PC)	Etobicoke North / -Nord	Parliamentary assistant to the Minister of Transportation / adjoint parlementaire au ministre des Transports
<b>Hodgson, Hon / L'hon Chris</b> (PC)	Haliburton-Victoria-Brock	Chair of the Management Board of Cabinet / président du Conseil de gestion
Hoy, Pat (L)	Chatham-Kent Essex	
<b>Hudak, Hon / L'hon Tim</b> (PC)	Erie-Lincoln	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
<b>Jackson, Hon / L'hon Cameron</b> (PC)	Burlington	Minister of Tourism / ministre du Tourisme
<b>Johns, Hon / L'hon Helen</b> (PC)	Huron-Bruce	Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women / ministre des Affaires civiques, de la Culture et des Loisirs, ministre déléguée aux Affaires des personnes âgées et à la Condition féminine
<b>Johnson, Bert</b> (PC)	Perth-Middlesex	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
Kells, Morley (PC)	Etobicoke-Lakeshore	
Kennedy, Gerard (L)	Parkdale-High Park	
<b>Klees, Hon / L'hon Frank</b> (PC)	Oak Ridges	Minister without Portfolio, chief government whip, deputy government House leader / ministre sans portefeuille, whip en chef du gouvernement, leader parlementaire adjoint
Kormos, Peter (ND)	Niagara Centre / -Centre	
Kwinter, Monte (L)	York Centre / -Centre	
Lalonde, Jean-Marc (L)	Glengarry-Prescott-Russell	
Lankin, Frances (ND)	Beaches-East York	
Levac, Dave (L)	Brant	
Marchese, Rosario (ND)	Trinity-Spadina	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>Marland, Hon / L'hon Margaret</b> (PC)	Mississauga South / -Sud	Minister without Portfolio (Children) / ministre sans portefeuille (Enfance)
Martel, Shelley (ND)	Nickel Belt	
<b>Martin, Tony</b> (ND)	Sault Ste Marie	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Martiniuk, Gerry (PC)	Cambridge	Parliamentary assistant to the Attorney General and minister responsible for native affairs / adjoint parlementaire au procureur général et ministre délégué aux Affaires autochtones
Maves, Bart (PC)	Niagara Falls	Parliamentary assistant to the Minister of Community and Social Services / adjoint parlementaire au ministre des Services sociaux et communautaires
Mazzilli, Frank (PC)	London-Fanshawe	Parliamentary assistant to the Solicitor General / adjoint parlementaire au solliciteur général
McGuinty, Dalton (L)	Ottawa South / -Sud	Leader of the Opposition / chef de l'opposition
McLeod, Lyn (L)	Thunder Bay-Atikokan	
Molinari, Tina R. (PC)	Thornhill	Parliamentary assistant to the Minister of Training, Colleges and Universities / adjointe parlementaire à la ministre de la Formation et des Collèges et Universités
Munro, Julia (PC)	York North / -Nord	assistant deputy government whip / whip adjointe suppléante du gouvernement
Murdoch, Bill (PC)	Bruce-Grey	
Mushinski, Marilyn (PC)	Scarborough Centre / -Centre	
Newman, Dan (PC)	Scarborough Southwest / -Sud-Ouest	Parliamentary assistant to the Minister of Health and Long-Term Care / adjoint parlementaire à la ministre de la Santé et des Soins de longue durée
O'Toole, John R. (PC)	Durham	Parliamentary assistant to the Minister of Consumer and Commercial Relations / adjoint parlementaire au ministre de la Consommation et du Commerce
Ouellette, Jerry J. (PC)	Oshawa	Parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire au ministre du Développement du Nord et des Mines
<b>Palladini, Hon / L'hon Al</b> (PC)	Vaughan-King-Aurora	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Parsons, Ernie (L)	Prince Edward-Hastings	
Patten, Richard (L)	Ottawa Centre / -Centre	
Peters, Steve (L)	Elgin-Middlesex-London	
Phillips, Gerry (L)	Scarborough-Agincourt	
Pupatello, Sandra (L)	Windsor West / -Ouest	
Ramsay, David (L)	Timiskaming-Cochrane	
<b>Runciman, Hon / L'hon Robert W.</b> (PC)	Leeds-Grenville	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Ruprecht, Tony (L)	Davenport	
<b>Sampson, Hon / L'hon Rob</b> (PC)	Mississauga Centre / -Centre	Minister of Correctional Services / ministre des Services correctionnels
Sergio, Mario (L)	York West / -Ouest	deputy opposition whip / whip adjoint de l'opposition
Skarica, Toni (PC)	Wentworth-Burlington	Parliamentary assistant to the Minister of Finance / adjoint parlementaire au ministre des Finances
Smitherman, George (L)	Toronto Centre-Rosedale / Toronto-Centre-Rosedale	
<b>Snobelen, Hon / L'hon John</b> (PC)	Mississauga West / -Ouest	Minister of Natural Resources / ministre des Richesses naturelles
Spina, Joseph (PC)	Brampton Centre / -Centre	Parliamentary assistant to the Minister of Tourism / adjoint parlementaire au ministre du Tourisme
<b>Sterling, Hon / L'hon Norman W.</b> (PC)	Lanark-Carleton	Minister of Intergovernmental Affairs, government House leader / ministre des Affaires intergouvernementales, leader parlementaire du gouvernement
Stewart, R. Gary (PC)	Peterborough	
<b>Stockwell, Hon / L'hon Chris</b> (PC)	Etobicoke Centre / -Centre	Minister of Labour / ministre du Travail
Tascona, Joseph N. (PC)	Barrie-Simcoe-Bradford	

<b>Member and Party / Député(e) et parti</b>	<b>Constituency / Circonscription</b>	<b>Other responsibilities / Autres responsabilités</b>
Tilson, David (PC)	Dufferin-Peel-Wellington-Grey	
<b>Tsubouchi, Hon / L'hon David H. (PC)</b>	Markham	Solicitor General / solliciteur général
<b>Turnbull, Hon / L'hon David (PC)</b>	Don Valley West / -Ouest	Minister of Transportation / ministre des Transports
Wettlaufer, Wayne (PC)	Kitchener Centre / -Centre	deputy government whip / whip adjoint du gouvernement
<b>Wilson, Hon / L'hon Jim (PC)</b>	Simcoe-Grey	Minister of Energy, Science and Technology / ministre de l'Énergie, des Sciences et de la Technologie
<b>Witmer, Hon / L'hon Elizabeth (PC)</b>	Kitchener-Waterloo	Minister of Health and Long-Term Care / ministre de la Santé et des Soins de longue durée
Wood, Bob (PC)	London West / -Ouest	Parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire au président du Conseil de gestion
Young, David (PC)	Willowdale	Parliamentary assistant to the Minister of Education / adjoint parlementaire à la ministre de l'Éducation



**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

**Estimates / Budgets des dépenses**

Chair / Président: Gerard Kennedy  
Vice-Chair / Vice-Président: Alvin Curling  
Gilles Bisson, Sean G. Conway, Alvin Curling,  
Gerard Kennedy, Frank Mazzilli, John R. O'Toole,  
R. Gary Stewart, Wayne Wettlaufer  
Clerk / Greffière: Anne Stokes

**Finance and economic affairs /  
Finances et affaires économiques**

Chair / Président: Marcel Beaubien  
Vice-Chair / Vice-Président: Doug Galt  
Ted Arnott, Marcel Beaubien, David Christopherson,  
Doug Galt, Monte Kwinter, Tina R. Molinari,  
Gerry Phillips, Toni Skarica  
Clerk / Greffier: Tom Prins

**General government / Affaires gouvernementales**

Chair / Présidente: Marilyn Mushinski  
Vice-Chair / Vice-Présidente: Julia Munro  
Toby Barrett, Marie Bountrogianni, Ted Chudleigh,  
Garfield Dunlop, Dave Levac, Rosario Marchese,  
Julia Munro, Marilyn Mushinski  
Clerk / Greffier: Viktor Kaczowski

**Government agencies / Organismes gouvernementaux**

Chair / Président: James J. Bradley  
Vice-Chair / Vice-Président: Bruce Crozier  
James J. Bradley, Bruce Crozier, Leona Dombrowsky,  
Bert Johnson, Morley Kells, Tony Martin,  
Joseph Spina, Bob Wood  
Clerk / Greffier: Douglas Arnott

**Justice and Social Policy / Justice et affaires sociales**

Chair / Président: Joseph N. Tascona  
Vice-Chair / Vice-Président: Carl DeFaria  
Marcel Beaubien, Michael Bryant, Carl DeFaria,  
Brenda Elliott, Garry J. Guzzo, Peter Kormos,  
Lyn McLeod, Joseph N. Tascona  
Clerk / Greffière: Susan Sourial

**Legislative Assembly / Assemblée législative**

Chair / Président: R. Gary Stewart  
Vice-Chair / Vice-Président: Brad Clark  
Marilyn Churley, Brad Clark, Caroline Di Cocco,  
Jean-Marc Lalonde, Jerry J. Ouellette, R. Gary Stewart, Joseph N.  
Tascona, Wayne Wettlaufer  
Clerk / Greffière: Donna Bryce

**Public accounts / Comptes publics**

Chair / Président: John Gerretsen  
Vice-Chair / Vice-Président: John C. Cleary  
John C. Cleary, John Gerretsen, John Hastings,  
Shelley Martel, Bart Maves, Julia Munro,  
Marilyn Mushinski, Richard Patten  
Clerk / Greffière: Tonia Grannum

**Regulations and private bills /  
Règlements et projets de loi privés**

Chair / Présidente: Frances Lankin  
Vice-Chair / Vice-Président: Garfield Dunlop  
Gilles Bisson, Claudette Boyer, Brian Coburn,  
Garfield Dunlop, Raminder Gill, Pat Hoy,  
Frances Lankin, David Young  
Clerk / Greffière: Anne Stokes

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.

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